



Luann G. Welmer, Clerk-Treasurer

**CITY COUNCIL MEETING
CAL BRAND MEETING ROOM
TUESDAY, SEPTEMBER 1, 2015
6:00 O'CLOCK P.M.**

I. Meeting Called to Order

- A. Opening Prayer
- B. Pledge of Allegiance
- C. Roll Call
- D. Acceptance of Minutes

II. Unfinished Business Requiring Council Action

- A. None

III. New Business Requiring Council Action

- A. First Reading of an Ordinance entitled, "ORDINANCE NO. _____, 2015, AN ORDINANCE AMENDING THE COLUMBUS CROSSING PRELIMINARY PLANNED UNIT DEVELOPMENT (PUD) PLAN WITH REGARD TO SIGNS AND LAND USES." Jeff Bergman
- B. First Reading of an Ordinance entitled, "ORDINANCE NO. _____, 2015, AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, TO AMEND CHAPTER 9.24, DISCRIMINATION GENERALLY AND CHAPTER 9.28, HOUSING DISCRIMINATION OF THE COLUMBUS CITY CODE." Aida Ramirez
- C. First Reading of an Ordinance entitled, "ORDINANCE NO. _____, 2015, AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA FIXING SALARIES AND WAGES OF OFFICERS AND EMPLOYEES OF THE CITY OF COLUMBUS, INDIANA FOR CALENDAR YEAR 2016." Matt Caldwell

- D. First Reading of an Ordinance entitled, "ORDINANCE NO. _____, 2015, AN ORDINANCE SETTING THE SALARIES OF ELECTED OFFICIALS FOR THE YEAR 2016." Matt Caldwell

IV. Other Business

- A. Standing Committee and Liaison Reports
- B. The next regular meeting is scheduled for **Tuesday, September 15, 2015, 6:00 p.m. in City Hall.**
- C. Adjournment



MEMORANDUM

TO: Columbus City Council Members

FROM: Jeff Bergman

DATE: August 21, 2015

RE: Columbus Crossing Preliminary PUD Plan Sign Standards

As you will recall, the Plan Commission has suggested that changes be made to the Columbus Crossing Preliminary PUD Plan sign standards as an alternative to the previously proposed rezoning of the development. At its August 12, 2015 meeting the Commission followed-up on its suggestion by officially considering specific Columbus Crossing sign standard amendments. After some discussion, the Plan Commission voted to forward proposed amendments to the City Council with a favorable recommendation. The attached documents detail those amendments. In summary, they are intended to replace the current very specific sign standards with Plan Commission discretion based on the sign regulations of the CR (Commercial: Regional Center) zoning district.

The Commission's vote on the favorable recommendation was 7 in favor and 2 opposed. Of those opposed, 1 expressed concern about a lack of specific standards and another was specifically opposed to the possibility that large "interstate-oriented" signs could be allowed in Columbus Crossing.

The Plan Commission's recommendation is based on a perception that the current Columbus Crossing sign standards are inconsistent with the other PUD provisions in that they are very detailed and specific. The PUD provides the Plan Commission with basic parameters and broad discretion over other site features, such as building setbacks and height, landscaping, parking, and architectural design.

Upon the recommendation of the Planning Department staff, in addition to the sign-related PUD changes, the Commission also included in their favorable recommendation an update of the reference to permitted Columbus Crossing uses. The original PUD makes a now outdated reference to the B-4 zoning district (which has not existed since the 2008 adoption of a new zoning ordinance). The proposed amendment would update that reference to the currently-applicable CR zoning district.

The following documents are attached for your consideration:

1. a proposed ordinance suitable for adopting the Plan Commission recommendations,
2. the Plan Commission resolution documenting its recommendations,
3. a marked-up version of the current Columbus Crossing PUD standards showing the proposed amendments, and
4. a table comparing the current Columbus Crossing PUD sign standards with those of the CR zoning district (which is the Plan Commission's recommended basis for its discretion).

Please feel free to contact me with any questions you may have.

ORDINANCE NO.: _____, 2015

**AN ORDINANCE AMENDING THE COLUMBUS CROSSING
PRELIMINARY PLANNED UNIT DEVELOPMENT (PUD) PLAN
WITH REGARD TO SIGNS AND LAND USES**

**To be known as the: Columbus Crossing Signs & Uses Amendment
Plan Commission Case No.: PUD-15-09**

WHEREAS, on February 4, 2003 the Columbus City Council passed Ordinance #6, 2003 which, through commitments, established the basic parameters of the Columbus Crossing Preliminary PUD Plan, excluding sign standards; and

WHEREAS, the sign standards were subsequently further researched by the Planning Department staff and approved by the Columbus Plan Commission on May 7, 2003 as part of Plan Commission case #PUD-03-02; and

WHEREAS, at its July 8, 2015 meeting the Plan Commission determined that revisions to the Columbus Crossing Preliminary PUD Plan sign standards were needed to provide the Commission with the discretion to address unique circumstances, consistent with the authority provided by the PUD for other site design characteristics; and

WHEREAS, it has further been determined that an update of the Zoning Ordinance reference establishing the permitted Columbus Crossing PUD land uses is also prudent; and

WHEREAS, this Preliminary PUD Plan amendment was initiated by the Columbus Plan Commission consistent with the provisions of IC 36-7-4-1505(c) and IC 36-7-4-602(c); and

WHEREAS, the Columbus Plan Commission did, on August 12, 2015, hold a legally advertised public hearing on said request and has certified a favorable recommendation to the Common Council; and

WHEREAS, the Common Council of the City of Columbus, Indiana has considered the criteria contained in Section 5.3(D)(3) of the Columbus & Bartholomew County Zoning Ordinance.

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of Columbus, Indiana, as follows:

SECTION 1: Preliminary PUD Plan Amended

- 1) The Columbus Crossing Preliminary PUD Plan, as established by the Columbus Common Council through the commitments included in Ordinance #6, 2003, is amended as described below:
 - a) Commitment #1 regarding uses is updated to reference the current CR (Commercial: Regional Center) zoning district rather than the outdated B-4 (Highway Business) zoning district and therefore read as follows: "Permitted uses in Columbus Crossing shall be those listed as permitted in the CR (Commercial: Regional Center) Zoning District (or any similarly intended zoning district as may be adopted in the future)."
 - b) Commitment #18 regarding signs is deleted and replaced with the following:

"Signs shall be as follows:

- a. All permanent signs on each lot shall be subject to the review and approval of the Plan Commission as part of the Final PUD Plan for that lot. Approval for permanent signs for businesses or other occupants that are not specifically known at the time of Final PUD

Plan review (such as shopping center tenants, etc.) may be approved by the Plan Commission in the form of maximum areas, design stipulations, etc. noted in writing on the Final PUD Plan document.

Signs shall be generally consistent with the CR (Commercial: Regional Center) Zoning District (or any similarly intended zoning district as may be adopted in the future). The Plan Commission shall not be bound exclusively to the CR zoning district standards and may further limit and/or permit signs.

- b. All permanent signs shall be designed with appearance in mind and shall be consistent and compatible with the overall design characteristics of the structure(s) on each lot. Permanent freestanding signs shall make use of supports and other design elements that are consistent and compatible with those used on the structure(s) on the same lot on which they are located.
- c. All temporary signs shall not require Plan Commission approval unless that approval is specifically required by the Plan Commission at the time of the Final PUD Plan approval for a specific lot or lots. Also, at the time of Final PUD Plan approval the Plan Commission may establish specific limitations and/or provisions for temporary signs, which shall be noted in writing on the final PUD Plan document. If not otherwise specified by the Plan Commission at the time of Final PUD Plan approval, temporary signs shall be reviewed and approved by the Planning Department staff, with the only criteria being conformance to the CR (Commercial: Regional Center) Zoning District standards.
- d. Two multi-tenant-capable pylon signs shall be permitted. One located in the vicinity of the Merchants Mile cul-de-sac with a maximum height of 70. The other shall be located at the intersection of State Road 46 and Carr Hill Road and shall have a maximum height of 40 feet. Each sign shall have a maximum area of 400 square feet (including a development identification element of 170 square feet and initially no more than 4 tenant signs totaling 230 square feet).

Additional tenant signs may be added to either or both development entry signs upon approval by the Plan Commission, either as a specific Final PUD Plan for changes to the signs themselves, or as part of a Final PUD Plan for a lot or lot(s) for which signage on the development entry sign(s) is also sought. No lot that is represented on either or both development entry signs shall also have a freestanding sign located on that lot, unless the Plan Commission deems that freestanding sign essential for safe wayfinding and traffic circulation. Where a freestanding sign on a lot in addition to representation on the development entry sign is deemed necessary its size and height shall be minimized to the extent possible."

- 2) All other adopted restrictions, limitations, and specifications for signs in Columbus Crossing as a whole, specifically those approved by the Plan Commission as Case #PUD-03-02 are void and no longer applicable. Any sign parameters established by the Plan Commission as part of the Final PUD Plan approval for a specific lot or lots shall be unaffected.

SECTION 3: Repealer

All ordinances or parts thereof in conflict with this ordinance shall be repealed to the extent of such conflict.

SECTION 4: Severability

If any provision, or the application of any provision, of this ordinance is held unconstitutional or invalid the remainder of the ordinance, or the application of such provision to other circumstances, shall be unaffected.

SECTION 5: Effective Date

This ordinance shall be effective upon and after the date and time of its adoption, as provided in Indiana law.

ADOPTED, by the Common Council of the City of Columbus, Indiana, this _____ day of _____, 2015 at _____ o'clock _____.m., by a vote of _____ ayes and _____ nays.

Presiding Officer

ATTEST:

Luann Welmer
Clerk-Treasurer of the City of Columbus, Indiana

Presented to me, the Mayor of Columbus, Indiana, the _____ day of _____, 2015 at _____ o'clock _____.m.

Kristen S. Brown
Mayor of the City of Columbus, Indiana

RESOLUTION: RZ-15-09

of the City of Columbus, Indiana Plan Commission

regarding

Case number RZ-15-09

**(Columbus Crossing Preliminary PUD Plan Amendments),
a proposal to amend the Columbus Crossing Preliminary PUD Plan
with regard to Signs and Land Uses**

WHEREAS, on February 4, 2003 the Columbus City Council passed Ordinance #6, 2003 which established the basic parameters of the Columbus Crossing Preliminary PUD Plan, excluding sign standards; and

WHEREAS, those sign standards were subsequently further researched by the Planning Department staff and approved by the Columbus Plan Commission on May 7, 2003 as part of Plan Commission case #PUD-03-02; and

WHEREAS, at its July 8, 2015 meeting the Plan Commission determined that revisions to the Columbus Crossing Preliminary PUD Plan sign standards were needed to provide the Commission with the discretion to address unique circumstances, consistent with the authority provided by the PUD for other site design characteristics; and

WHEREAS, it has further been determined that an update of the Zoning Ordinance reference establishing the permitted Columbus Crossing PUD land uses is also prudent; and

WHEREAS, the Plan Commission did, on August 12, 2015, hold a public hearing consistent with the applicable requirements of Indiana law, the Columbus & Bartholomew County Zoning Ordinance, and the Plan Commission Rules of Procedure; and

WHEREAS, the Plan Commission did pay reasonable regard to the criteria contained in Section 5.3(D)(3) of the Columbus & Bartholomew County Zoning Ordinance; and

WHEREAS, the Plan Commission recognizes that its action on this matter represents a recommendation to the Common Council of the City of Columbus, Indiana, which will be responsible for final action on the request.

NOW THEREFORE BE IT RESOLVED, by the Plan Commission of the City of Columbus, Indiana, as follows:

- 1) The amendment of the commitments adopted as a part of the Columbus Crossing Preliminary PUD Plan as described below is forwarded to the Common Council with a favorable recommendation.
 - a) Commitment #1 regarding uses is updated to reference the current CR (Commercial: Regional Center) zoning district rather than the outdated B-4 (Highway Business) zoning district and therefore read as follows: "Permitted uses in Columbus Crossing shall be those listed as permitted in the CR (Commercial: Regional Center) Zoning District (or any similarly intended zoning district as may be adopted in the future)."
 - b) Commitment #18 regarding signs is deleted and replaced with the following:

"Signs shall be as follows:

- a. All permanent signs on each lot shall be subject to the review and approval of the Plan Commission as part of the Final PUD Plan for that lot. Approval for permanent signs for businesses or other occupants that are not specifically known at the time of Final PUD Plan review (such as shopping center tenants, etc.) may be approved by the Plan Commission in the form of maximum areas, design stipulations, etc. noted in writing on the Final PUD Plan document.

Signs shall be generally consistent with the CR (Commercial: Regional Center) Zoning District (or any similarly intended zoning district as may be adopted in the future). The Plan Commission shall not be bound exclusively to the CR zoning district standards and may further limit and/or permit signs.

- b. All permanent signs shall be designed with appearance in mind and shall be consistent and compatible with the overall design characteristics of the structure(s) on each lot. Permanent freestanding signs shall make use of supports and other design elements that are consistent and compatible with those used on the structure(s) on the same lot on which they are located.
- c. All temporary signs shall not require Plan Commission approval unless that approval is specifically required by the Plan Commission at the time of the Final PUD Plan approval for a specific lot or lots. Also, at the time of Final PUD Plan approval the Plan Commission may establish specific limitations and/or provisions for temporary signs, which shall be noted in writing on the final PUD Plan document. If not otherwise specified by the Plan Commission at the time of Final PUD Plan approval, temporary signs shall be reviewed and approved by the Planning Department staff, with the only criteria being conformance to the CR (Commercial: Regional Center) Zoning District standards.
- d. Two multi-tenant-capable pylon signs shall be permitted. One located in the vicinity of the Merchants Mile cul-de-sac with a maximum height of 70. The other shall be located at the intersection of State Road 46 and Carr Hill Road and shall have a maximum height of 40 feet. Each sign shall have a maximum area of 400 square feet (including a development identification element of 170 square feet and initially no more than 4 tenant signs totaling 230 square feet).

Additional tenant signs may be added to either or both development entry signs upon approval by the Plan Commission, either as a specific Final PUD Plan for changes to the signs themselves, or as part of a Final PUD Plan for a lot or lot(s) for which signage on the development entry sign(s) is also sought. No lot that is represented on either or both development entry signs shall also have a freestanding sign located on that lot, unless the Plan Commission deems that freestanding sign essential for safe wayfinding and traffic circulation. Where a freestanding sign on a lot in addition to representation on the development entry sign is deemed necessary its size and height shall be minimized to the extent possible."

- 2) All other adopted restrictions, limitations, and specifications for signs in Columbus Crossing as a whole, specifically those approved by the Plan Commission as Case #PUD-03-02 are void and no longer applicable. Any sign parameters established by the Plan Commission as part of the Final PUD Plan approval for a specific lot or lots shall be unaffected.
- 3) This resolution shall serve as the certification required for the Plan Commission recommendation on Preliminary PUD Plan amendments.

**ADOPTED BY THE COLUMBUS, INDIANA PLAN COMMISSION THIS 12th DAY OF AUGUST
2015 BY A VOTE OF 7 IN FAVOR AND 2 OPPOSED.**

Signed Copy on file in the Planning Department

Roger Lang, President

ATTEST:

Signed Copy on file in the Planning Department

David L. Fisher, Secretary

Prepared by the City of Columbus - Bartholomew County Planning Department
Jeffrey R. Bergman, AICP #014602 - Planning Director

Columbus Crossing Preliminary PUD Commitments
Proposed Amendments – August 12, 2015
(as recommended by the Columbus Plan Commission)

Proposed Deletions: ~~strikethrough~~ Proposed Additions: underline

Commitments Established by Ordinance #6, 2003 (PUD-02-11):

1. ~~Permitted uses in the project shall be as specified for the B-4 zoning district, Sec. 17.32.020-.040 of the Columbus Zoning Ordinance.~~ Permitted uses in Columbus Crossing shall be those listed as permitted in the CR (Commercial: Regional Center) Zoning District (or any similarly intended zoning district as may be adopted in the future).
2. The final PUD plan for the Menard Inc. store shall be the first final PUD plan submitted and approved for the property, and all references herein to the "first final PUD plan" shall mean the PUD plan for the Menard Inc. store.
3. The "Columbus Crossings Site Development Agreement Letter of Intent", executed September 19, 2001, shall govern the arrangements for providing traffic access through the Ramada Inn property to the Menard Inc. property, subject to any modifications in the traffic study.
4. Traffic signals:
 - a. The developer shall be responsible for its proportional share of the cost of designing and installing both of the traffic signals on SR 46 as indicated in the traffic study, according to city and INDOT policy.
 - b. Both signals shall include provision for on-demand pedestrian activation.
 - c. The signal poles shall be painted to match the Front Door project architecture.
5. In addition to drainage plans submitted to City Engineering, drainage plans shall be subject to the following stipulations:
 - a. All drainage detention/retention ponds shall be landscaped in accordance with Chapter 17.43 (Landscaping) of the Columbus Zoning Ordinance, with detailed landscaping for each pond included in the required PUD detailed landscape plans;
 - b. All drainage detention/retention ponds shall be shaped/configured so as to avoid rectilinear banks except as absolutely necessary to satisfy the development's hydrologic demands.
6. Final PUD plans shall be submitted for each lot in the project, and each final PUD plan shall include, in addition to the requirements of Chapter 17.22 of the Zoning Ordinance, the following elements:
 - a. Architectural elevations of all facades for each building on the plan;
 - b. Plans for screening of all rooftop HVAC, plumbing, and other rooftop mechanical equipment for each building;
 - c. An architectural perspective illustration of the proposed building(s) on each plan, in the context of the preliminary PUD plan and all previously built or approved final PUD plans for the entire development, as viewed from the 1-65 right-of-way, at a point formed by the intersection of the central axis of Merchants Mile right-of-way with the I-65 eastern right-of-way.
7. The final PUD plan for Menard Inc. shall be the first final PUD plan approved for the property, and this plan shall conform substantially to elevations and site layout submitted as exhibits for the October 3 and October 24, 2001 Plan Commission meetings.
8. A separate, detailed landscaping plan for the entire PUD shall be submitted and approved by the Landscape Review Committee in conjunction with the first detailed PUD plan for the property. Landscaping for the PUD shall at the minimum meet the requirements of Chapter 17.43 of the Zoning Ordinance for B-5 commercial development. Detailed landscaping plans for each subsequent final PUD plan shall also, at the Plan Commission's option, be reviewed and approved by the Landscape

Review Committee. The Front Door committee shall be given the opportunity to review and comment on each landscape plan prior to approval.

9. Landscaping shall include north-south landscaping strips through the parking areas along: (a) the extension of the new Ramada Inn entrance; and (b) the easement entering the property south of Burger King.
10. Final PUD plans for all buildings on the north side of Merchants Mile shall include landscaping and architectural treatment along both north and south sides of buildings.
11. Sidewalks shall be required on at least one side of all public streets within and bordering the project boundaries, as determined through the preliminary subdivision platting process.
12. An easement for emergency vehicular access shall be provided through the parking areas south of and parallel to Merchants Mile.
13. Lighting plans, including fixture design details and a photometric layout, shall be provided as part of each final PUD plan for the project. Lighting shall be of similar architectural design throughout the project. The photometric layout shall specify that the amount of illumination projected onto adjacent property outside the PUD boundaries will not exceed 0.1 foot-candle at the property line.
14. The front sides of all retail buildings over 50,000 square feet in gross floor area shall be brick, or an equivalent material determined through the final PUD plan review process for each building. Other facades of these buildings shall be designed with appearance in mind, recognizing that the buildings will be highly visible from multiple angles.
15. All loading docks shall be screened with at least a Type A screen.
16. Grading, drainage, and infrastructure improvements for the entire project shall be substantially completed in conjunction with the completion of the Menard Inc. building and site, which is to be located in the Columbus Crossing PUD.
17. The drive off of State Road 46, between Carr Hill Road (formerly Brex Park Drive) and Morgan Willow Trace (formerly Carr Hill Road), shall be a right-turn only for eastbound traffic on 46, and shall be one-way south.
18. Signs shall be limited as follows:
 - a. Wall signs shall be restricted to a maximum of five signs for the Menard's store including the Menard's logo sign of 312 square feet and four smaller signs totaling 188 square feet, with total square footage limited to 10 percent of the building facade, or 500 square feet aggregate, whichever is less; plus one directional sign of 8.5 square feet. All permanent signs on each lot shall be subject to the review and approval of the Plan Commission as part of the Final PUD Plan for that lot. Approval for permanent signs for businesses or other occupants that are not specifically known at the time of Final PUD Plan review (such as shopping center tenants, etc.) may be approved by the Plan Commission in the form of maximum areas, design stipulations, etc. noted in writing on the Final PUD Plan document.
Signs shall be generally consistent with the CR (Commercial: Regional Center) Zoning District (or any similarly intended zoning district as may be adopted in the future). The Plan Commission shall not be bound exclusively to the CR zoning district standards and may further limit and/or permit signs.
 - b. All permanent signs shall be designed with appearance in mind and shall be consistent and compatible with the overall design characteristics of the structure(s) on each lot. Permanent freestanding signs shall make use of supports and other design elements that are consistent and compatible with those used on the structure(s) on the same lot on which they are located.
 - c. All temporary signs shall not require Plan Commission approval unless that approval is specifically required by the Plan Commission at the time of the Final PUD Plan approval for a specific lot or lots. Also, at the time of Final PUD Plan approval the Plan Commission may establish specific limitations and/or provisions for temporary signs, which shall be noted in writing on the final PUD Plan document. If not otherwise specified by the Plan Commission at the time of Final PUD Plan approval, temporary signs shall be reviewed and approved by the Planning

Department staff, with the only criteria being conformance to the CR (Commercial: Regional Center) Zoning District standards.

- d. Two multi-tenant-capable pylon signs shall be permitted. One located in the vicinity of the Merchants Mile cul-de-sac with a maximum height of 70. The other shall be located at the intersection of State Road 46 and Carr Hill Road and shall have a maximum height of 40 feet. Each sign shall have a maximum area of 400 square feet (including a development identification element of 170 square feet and initially no more than 4 tenant signs totaling 230 square feet).

Additional tenant signs may be added to either or both development entry signs upon approval by the Plan Commission, either as a specific Final PUD Plan for changes to the signs themselves, or as part of a Final PUD Plan for a lot or lot(s) for which signage on the development entry sign(s) is also sought. No lot that is represented on either or both development entry signs shall also have a freestanding sign located on that lot, unless the Plan Commission deems that freestanding sign essential for safe wayfinding and traffic circulation. Where a freestanding sign on a lot in addition to representation on the development entry sign is deemed necessary its size and height shall be minimized to the extent possible.

Subsequently Established Sign Standards (PUD-03-02):

1. ~~A maximum of two freestanding pylon signs for the entire development shall be permitted, as follows:~~
 - a. ~~One multi-tenant-capable pylon sign in the vicinity of the Merchants Mile cul-de-sac, oriented to and visible from the I-65 corridor, with a maximum height of 70 feet and a maximum size of 400 square feet, including the identification sign of 170 square feet and no more than 4 tenant signs totaling 230 square feet. The developer shall retain control of tenant signs, including determining square footage for each such sign.~~
 - b. ~~One multi-tenant-capable pylon sign on the southeast corner of State Road 46 and Carr Hill Road (formerly Brex Park Drive); with a maximum height of 40 feet and a maximum size of 400 square feet, including the identification sign of 170 square feet and no more than 4 tenant signs totaling 230 square feet. The developer shall retain control of tenant signs, including determining square footage for each such sign.~~
2. ~~Other than the two pylon signs, all permanent commercial sign types shall be restricted to monument signs, wall signs, and/or directional signs.~~
3. ~~Monument signs shall be limited to the parameters specified in Chapter 17.46 (Signs) of the Columbus Zoning Ordinance, but shall not in any case exceed 6 feet in height or 150 square feet in area. No more than one monument sign per lot shall be permitted. At least 200 feet of frontage shall be required for a monument sign. No freestanding signs of any type shall be allowed for frontages along S.R. 46, except for the multi-tenant pylon sign referred to above. Any signs in the visibility triangle of a street or driveway may not exceed 30 inches in height in accordance with Section 17.42.090 (Intersection Visibility).~~
4. ~~Wall signs shall be restricted to a maximum of two signs per building facade, up to a total of 5 signs per establishment, with total square footage limited to 5 percent of the building facade. The total square footage for signs for any single establishment shall not exceed 200 square feet for establishments under 20,000 square feet; 265 square feet for establishments between 20,000 and 90,000 square feet, and 330 square feet for establishments over 90,000 square feet. An establishment that is entitled to a monument sign under these provisions may elect to take a bonus of 50 percent additional square feet of wall sign age instead of a monument sign. The total sign square footage for any establishment does not include construction signage, but includes all other type of signage.~~
5. ~~For establishments that have a tenant sign on one or both of the multi-tenant pylon signs, the square footage for tenant sign(s) shall count toward the total square footage allowed for that establishment.~~
6. ~~Construction signage shall be limited to a maximum size of 32 square feet per face and a maximum of one 90 degree angled sign structure per street frontage.~~

7. ~~Appropriate directional signage shall be allowed for the main lot and each outlet, with limits as specified in Chapter 17.46 (Signs) of the Columbus Zoning Ordinance.~~
8. ~~All other signage issues shall be governed by Chapter 17.46 (Signs) of the Columbus Zoning Ordinance.~~

Columbus Crossing PUD / "CR" (Commercial: Regional Center) Zoning District Sign Regulation Comparison

Prepared By: City of Columbus - Bartholomew County Planning Department

Date: August 21, 2015

Note: Instances where regulations are clearly less restrictive are highlighted in green:

Sign Standards		
Regulation Type	Columbus Crossing PUD	CR Zoning District
Development Entry Signs:	The Preliminary PUD allows 2 freestanding development entry signs, each showing 4 businesses - (1) off of I-65 and (2) at Carr Hill Road from SR 46. The square footage for these signs shall count toward the total square footage allowed for each business.	One entry sign per development, showing a maximum of 5 businesses. Businesses making use of the joint sign may not have freestanding signs on their individual lots.
Wall Signs:	<p><u>Maximum Number:</u> 2 per building façade, up to 5 total signs per establishment.</p> <p><u>Total Maximum Area:</u> Limited to 5% of the building façade, with the following limits: 200 sq. ft. for a building less than 20,000 sq. ft.; 265 sq. ft. for a building between 20,000 and 90,000 sq. ft.; and 330 sq. ft. for a building over 90,000 sq. ft. Limits may increase by 50% for businesses that forego a permitted freestanding sign.</p> <p><u>Typically Required and Approved by the Plan Commission:</u> For multi-tenant centers signage has been calculated on a tenant-by-tenant basis with the direct relationship of sign size to size of exterior wall. Multi-tenant centers have been permitted one wall sign per tenant not exceeding 15% of that tenant's exterior wall.</p>	<p><u>Maximum Number:</u> 3 per public street frontage.</p> <p><u>Total Maximum Area:</u> 350 square feet or equal to 15% of the area of the front walls, whichever is less.</p>
Freestanding Signs:	<p><u>Maximum Number:</u> 1 per lot. At least 200 feet of frontage shall be required for a freestanding sign. No freestanding signs shall be allowed along SR 46.</p> <p><u>Maximum Area:</u> 150 square feet</p> <p><u>Maximum Height:</u> 6 feet</p>	<p><u>Maximum Number:</u> 1 per public street frontage per lot.</p> <p><u>Maximum Area (per sign):</u> 150 square feet</p> <p><u>Maximum Height:</u> 25 feet</p>
Interstate Oriented Signs:	Not Permitted.	<p><u>Maximum Number:</u> 1 per lot, if within 2,500 feet of the I-65 interchange.</p> <p><u>Maximum Area:</u> 200 square feet</p> <p><u>Maximum Height:</u> 90 feet</p>
Window Signs:	Window Signs shall only contain incidental information such as hours of operation, etc.	<u>Maximum Area (for all window signs per use):</u> 20 square feet or equal to 25% of the window area, whichever is less.

Sign Standards		
Regulation Type	Columbus Crossing PUD	CR Zoning District
Temporary Signs:	Permitted 1 temporary sign per lot (as specified in the pre-2008 Zoning Ordinance Section 17.46).	<p><u>Banner Sign</u>: 1 per use, maximum area of 32 square feet, allowed for a maximum of 90 days per calendar year.</p> <p><u>Inflatable Sign</u>: 1 per use, maximum height of 25 square feet, allowed for a maximum of 12 days per calendar year.</p> <p><u>Beacon Sign (Searchlight)</u>: 1 per use, allowed for a maximum of 12 days per calendar year.</p>

ORDINANCE NO. _____, 2015
AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA,
TO AMEND CHAPTER 9.24, DISCRIMINATION GENERALLY AND CHAPTER 9.28,
HOUSING DISCRIMINATION OF THE COLUMBUS CITY CODE

WHEREAS, Indiana Code 36-1-3 *et. seq.* confers upon units of government within the State of Indiana such powers as necessary or desirable to conduct the affairs of local government;

WHEREAS, Indiana Code 36-4-6-18 authorizes the Common Council of the City of Columbus, Indiana to pass such ordinances, orders, resolutions and motions as may be necessary and proper for the governmental unit to fulfill and satisfy the responsibilities and duties of said governmental unit;

WHEREAS, Indiana Code 36-1-3 *et seq.*, Indiana Home Rule Law, authorizes the Common Council to generally enact local legislation that it determines necessary for the effective operation of government as to local affairs; and

WHEREAS, it is the desire of the Common Council to appropriately address discrimination and the rights of everyone within the City of Columbus.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, AS FOLLOWS:

Section I. Chapter 9, Section 24 of the Columbus City Code, is hereby amended to read as follows:

Chapter 9.24
DISCRIMINATION GENERALLY

Sections:

9.24.010	Definitions.
9.24.020	Public policy.
9.24.030	Discriminatory housing practices unlawful.
9.24.040	Sex discrimination.
9.24.050	Sexual harassment.
9.24.060	Pregnancy discrimination.
9.24.070	Wage discrimination.
9.24.080	Discrimination because of disability.
9.24.090	City contracts.
9.24.100	Territorial applicability of chapter.

Section 9.24.010 Definitions.

9.24.010 Definitions.

As used in this chapter, unless a different meaning clearly appears from the context, the following terms shall have the meaning described in this section:

"Affirmative action" means those acts which the commission, as defined in this section, deems necessary to assure compliance with this chapter.

"Age" means the chronological age of not less than forty (40) years.

"Aggrieved person" includes any person who:

1. Claims to have been injured by a discriminatory practice as defined by this chapter; or
2. Believes that injury by a discriminatory practice as defined by this chapter is about to

occur.

"Ancestry" refers to both the county from which a person's ancestors came and the citizenship of a person's ancestors.

"Business" means any corporation or public association organized for profit.

"Charge" means the statement of facts upon which the commission has found probable cause to believe that a discriminatory practice has occurred or is about to occur.

"Commission" means the human rights commission created by Chapter 2.58.

"Commission attorney" means the city attorney or such assistant of such attorney as may be assigned to the commission.

"Complainant" means:

1. Any aggrieved person who files a complaint under this chapter; or

2. The director, deputy director or chairperson of the commission charging that a discriminatory practice was committed against a person other than himself or herself, or a class of people in order to vindicate the public policy of the city as defined by this chapter.

"Complaint" means any written grievance filed by a complainant with the commission, signed and verified before a notary public or another person duly authorized by law to administer oaths and take acknowledgments.

"Conciliation" means the attempted resolution of issues raised by a complaint or by the investigation of a complaint, through informal negotiations involving the aggrieved person, the respondent and the commission.

"Conciliation agreement" means a written agreement setting forth the resolution of the issues in conciliation accepted and agreed to by both the complainant and the respondent and the commission which is entered into in lieu of adjudication.

"Director" means the director of the human rights commission.

"Disability" means: With respect to a person:

1. A physical or mental impairment that substantially limits one or more of the person's major life activities;

2. A record of having an impairment described in subdivision (1) of this subsection;

3. Being regarded as having an impairment described in said subdivision.

The term "disability" does not include current illegal use of or addition to a controlled substance (as defined in Section 102 of the Controlled Substances Act (21 U.S.C. 802)).

"Discriminatory practice" means

1. The exclusion of an individual from equal opportunities ~~because of race, religion, color, sex, disability, national origin, or ancestry,~~ sexual orientation, gender identity or age; or a system which excludes individuals from equal opportunities because of race, religion, color, sex, disability, national origin, ~~or ancestry,~~ sexual orientation, gender identity or age; or

2. The promotion of racial segregation or separation in any manner, including but not limited to, the inducing of, or the attempting to induce, for profit, any individual to sell or rent any dwelling by representations regarding the entry or prospective entry in the neighborhood of an individual or individuals of a particular race, religion, color, sex, disability, national original, ~~or ancestry,~~ sexual orientation, gender identity or age; or

3. A violation of Section 9.20.050 which occurs after September 13, 1992 and is committed by a covered entity as defined by Section 9.20.050.

Every discriminatory practice relating to the acquisition or sale of real estate, education, public accommodations, employment or the extending of credit (as credit is defined by Indiana Code, 24-4.5-1-301) shall be considered unlawful if it is specifically exempted by this chapter.

"Dwelling" means:

1. Any building, structure or part of a building or structure that is occupied as, or designed or intended for occupancy as, a residency by one or more families; or

2. Any vacant land that is offered for sale or lease for the construction or location of a building, structure, or part of a building or structure described by subdivision (1) of this subsection.

"Educational institution" means all public and private school and training centers, except universities supported in whole or in part by state funds.

"Employee" means any individual employed by another for wages or salary; provided, that it shall not include any individual employed by his/her parents, spouse or child, or in the domestic service of any individual.

"Employer" means the city or any department thereof and any person employing six or more individuals within the city except that the term "employer" does not include:

1. Any nonprofit corporation or association organized exclusively for fraternal or religious purposes;
2. Any school, educational or charitable religious institutions owned or conducted by, or affiliated with, a church or religious institution; or
3. Any exclusively social club, corporation or association that is not organized for profit.

"Employment agency" means any person undertaking with or without compensation to procure, recruit, refer or place employees.

"Familial status" means:

1. One or more individuals (who have not attained the age of eighteen years) being domiciled with:
 - a. A parent or another person having legal custody of such individual or individuals, or
 - b. The designees or such parent or other person having such custody, with the written permission of such parent or other person;
2. Any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of eighteen years.

"Family" includes a single individual.

"Gender Identity" means a person's actual or perceived gender-related attributes, self-image, appearance, expression or behavior, whether or not such characteristics differ from those traditionally associated with the person's assigned sex at birth.

"Housing unit" means any area which is:

1. A single room or suite of rooms or an apartment or dwelling occupied or intended for occupancy as separate living quarters by an individual, by a family or by a group of individuals living together; or
2. A parcel of real property or a lot available for the construction of a housing unit.

"Labor organization" means any organization which exists for the purpose, in whole or in part, of collectively bargaining or of dealing with employers concerning wages, grievances, terms or conditions of employment or for other mutual aid or protection in relation to employment.

"National origin" refers to both the country from which a person came and the citizenship of the person.

"Owner" means the lessee, sublessee, assignee, managing agent or other person having the right of ownership or possession or the right to sell, rent or lease any housing unit.

"Person" means one or more individuals, partnerships, associations, organizations, corporations, labor organizations, cooperatives, legal representatives, trustee, trustees in bankruptcy, receivers and other organized groups of persons.

"Probable cause" exists when facts and circumstances are sufficient so a reasonably prudent individual would be justified in believing that a discriminatory act has been or is being committed.

"Public accommodations" means any establishment which caters or offers its services or facilities or goods to the general public.

"Public hearing" means a hearing held by the commission to determine whether or not an act of discrimination has occurred. The hearing shall be held in the event that the investigation of a complaint has resulted in a finding of probable cause to believe that discrimination has occurred, and the complaint has not been closed by a conciliation agreement and a timely election has not been made under Section 9.28.360.

"Real estate broker" means any person, partnership, association or corporation who for a fee or

other valuable consideration sells, purchases, exchanges or rents, negotiates or offers or attempts to negotiate the sale, purchase, exchange or rental of the real property of another, or holds himself out as engaged in the business of selling, purchasing, exchanging or renting the real property of another, or collects rental for the use of real property of another.

"Real estate salesperson or agent" means any person employed by a real estate broker to perform or assist in the performance of any or all of the functions of a real estate broker. The term "agent" as used in Section 9.24.030 (C) and (E) shall not include the owner, publisher or operator or employees of the owner, publisher or operator of any newspaper, radio or television station with respect to any announcement, advertisement or commercial purchased by any other person for publication or broadcast in or by any such newspaper, radio or television station or with respect to any news story, editorial or comment by a member of the public published or broadcast in or by any such newspaper, radio or television station.

"Religion" means a practice including moral or ethical beliefs as to what is right and wrong which are sincerely held with the strength of traditional views.

"To rent" includes to lease, to sublease, to let or to otherwise grant for a consideration the right to occupy premises not owned by the occupant.

"Respondent" means:

1. The person accused of a violation of this chapter in a complaint or an amendment to a complaint; or

2. Any person joined as an additional or a substitute respondent.

"Sex" is the word used to describe the biological differences that exist between male and female individuals.

"Sexual Orientation" means an individual's actual or perceived identity or practice as a male or female homosexual person, bisexual person or heterosexual person.

"State agency" means every office, officer, board, commission, department, division, bureau, committee, fund, agency and without limitation by reason of any enumeration herein, every other instrumentality of the state of Indiana, every hospital, every penal institution and every other institutional enterprise and activity of the state of Indiana, wherever located; the universities supported in whole or in part by state funds; and the Judicial Department of the state of Indiana. "State agency" does not mean counties, county departments of public welfare, cities, towns, townships, school cities, school towns, school townships, school districts or their municipal corporations, political subdivision or units of local government. (Ord. 92-45 (part), 1992; prior code § 12-1)

Section 9.24.020 Public policy.

9.24.020 Public policy.

A. It is the public policy of the city to provide all persons an equal opportunity for and in education, employment, public accommodations and acquisition through purchase or rental of real property including but not limited to housing. Equal educational and employment opportunities and equal access to and use of public accommodations and equal opportunities for acquisition of real property and access to credit as defined in Indiana Code, 24-4.5-1-301, are declared to be civil rights.

B. The practice of denying these civil rights to a person by reason of race, religion, color, sex, pregnancy, disability, national origin, ~~or~~ ancestry, sexual orientation, gender identity or age of such individual is contrary to the principles of equal opportunity stated in this chapter and shall be considered discriminatory practices.

C. The promotion of equal opportunity without regard to race, religion, color, sex, pregnancy, disability, national origin, ~~or~~ ancestry, sexual orientation, gender identity or age through enforcement, public education and other reasonable methods is the purpose of this chapter. It is also its purpose to protect employers, labor organizations, employment agencies, property owners, real estate brokers, lending institutions and insurance companies from unfounded charges of discrimination through the professional investigation and resolution of complaints.

D. This chapter shall be construed broadly to effectuate its purpose. (Ord. 92-45 (part), 1992; prior code § 12-2)

Section 9.24.030 Discriminatory housing practices unlawful.

9.24.030 Discriminatory housing practices unlawful.

The following discriminatory housing practices are declared to be unlawful:

A. For any person or agent to refuse to sell, lease, rent, assign or otherwise transfer or refuse to negotiate for the sale, lease, sublease, rental or other transfer of the title, leasehold or other interest in any housing unit to any person or to represent that the housing unit is not available for inspection, sale, lease, sublease, rental, assignment or other transfer, when in fact, it is so available or otherwise deny or withhold any housing unit from any person because of race, color, sex, disability, national origin, ancestry, ~~or~~ religion, sexual orientation, gender identity or age;

B. For any person or agent to discriminate in the terms, conditions or privileges of the sale, rental or lease of any housing unit or in the furnishing of any facilities or services to any person for any housing unit on account of race, color, sex, disability, national origin, ancestry, ~~or~~ religion, sexual orientation, gender identity or age;

C. For any person or agent to publish or circulate or cause to be published or circulated any notice, statement or advertisement or to announce a policy or to use any form or application for the purchase, lease, rental, financing or insuring of housing in connection with the prospective purchase, lease, rental, financing or insuring of housing which expresses directly or indirectly any limitation or specification as to race, color, sex, disability, national origin, religion, ~~or~~ ancestry, sexual orientation, gender identity or age or any intent to make any such limitations, specifications or discrimination;

D. For any lending institution, including government agencies, to discriminate in lending money, guaranteeing loans, accepting mortgages or otherwise making available funds for the purchase, acquisition, construction, rehabilitation, repair or maintenance of any housing unit because of religion, race, color, sex, disability, national origin, ~~or~~ ancestry, sexual orientation, gender identity or age of any prospective buyer or seller;

E. For any person, individually or in combination, to aid, incite, compel, coerce, participate in or contact for the joining of any act declared to be an unlawful housing practice under this section or to directly or indirectly commit any act declared by this section to be a discriminatory housing practice. (Ord. 92-45 (part), 1992; prior code § 12-3)

Section 9.24.040 Sex discrimination.

9.24.040 Sex discrimination.

A. A written or unwritten act, policy, practice or system which excludes an individual from equal opportunities on the basis of sex or because of sex, sexual orientation, or gender identity in any terms or conditions of employment, education, public accommodations, credit or housing, shall be considered a discriminatory practice.

B. The term "sex discrimination" as it applies to segregation or separation in this chapter applies to all covered types of employment, education, public accommodations and housing; provided, however, that:

1. It shall not be a discriminatory practice to maintain separate restrooms; and that
2. It shall not be unlawful employment practice for an employer to hire and employ employees, for an employment agency to classify or refer for employment agency to classify or refer for employment an individual, for a labor organization to classify its membership or to classify or refer for employment any individual, or for an employer, labor organization or joint labor management committee controlling apprenticeship or other training or retraining programs to admit or to employ another individual in any such program on the basis of sex in those certain instances where sex is a bona fide occupational qualification reasonably necessary to the normal operation of that particular business or enterprise; and that

3. It shall not be a discriminatory practice for a private or religious educational institution to continue to maintain and enforce a policy of admitting students of one sex only; and that

4. It shall not be a discriminatory practice under Section 9.24.030 for an owner of a single family unit who resides therein but rents or leases rooms in that same unit to lease to individuals of one sex only. (Ord. 92-45 (part), 1992; prior code § 12-4)

Section 9.24.050 Sexual harassment.

9.24.050 Sexual harassment.

Harassment on the basis of sex, sexual orientation, or gender identity shall be considered an unlawful employment practice. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of sexual nature constitute sexual harassment when:

A. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or

B. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or

C. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment; or

D. In determining whether alleged conduct constitutes sexual harassment, the commission will look at the record as a whole and at the totality of the circumstances, such as the nature of the sexual advances and the context in which the alleged incidents occurred.

The determination of the legality of a particular action will be made from the facts on a case-by-case basis. (Ord. 92-45 (part), 1992; prior code § 12-5)

Section 9.24.060 Pregnancy discrimination.

9.24.060 Pregnancy discrimination.

A. A written or unwritten employment policy or practice which excludes from employment opportunities applicants or employees because of pregnancy, childbirth or related medical conditions is in violation of this chapter.

B. Disabilities caused or contributed to by pregnancy, childbirth or related medical conditions, for all job-related purposes, shall be treated the same as disabilities caused or contributed to by other medical conditions, under any health or disability insurance or sick leave plan available in connection with employment. Written or unwritten employment policies and practices involving matters such as the commencement and duration of leave, the availability of extensions, the accrual of seniority and other benefits and privileges, reinstatement and payment under any health or disability insurance or sick leave plan, formal or informal, shall be applied to disability due to pregnancy, childbirth or related medical conditions on the same terms and conditions as they are applied to other disabilities. Health insurance benefits for abortion, except where the life of the mother would be endangered if the fetus were carried to term or where medical complications have arisen from an abortion, are not required to be paid by an employer; nothing herein, however, precludes an employer from providing abortion benefits or otherwise affects the bargaining agreements in regard to abortion.

C. Where the termination of an employee who is temporarily disabled is caused by an employment policy under which insufficient or no leave is available, such termination violates this chapter if it has a disparate impact on employees of one sex and is not justified by business necessity. (Ord. 92-45 (part), 1992; prior code § 12-6);

Section 9.24.070 Wage discrimination.

9.24.070 Wage discrimination.

No employer shall discriminate within any establishment between employees on the basis of sex, sexual orientation, or gender identity by paying wages to employees in such establishment, a rate less than the rate at which he or she pays wages to employees of the opposite sex in such establishment for equal

work on jobs of the performance of which requires equal skill, effort and responsibility, and which are performed under similar working conditions, except where such payment is made pursuant to:

1. A seniority system;
2. A merit system;
3. A system which measures earnings by quantity or quality of production; or
4. A differential based on any other factor other than sex.

B. An employer who is paying a wage rate differential in violation of the above shall not, in order to comply with this provision, reduce the wage rate of any other employee. (Ord. 92-45 (part), 1992; prior code § 12-7)

Section 9.24.080 Discrimination because of disability.

9.24.080 Discrimination because of disability.

A. The prohibition against discrimination in employment, because of disability does not apply to failure of an employer to employ or retain as an employee any individual who because of a disability is physically or otherwise unable to efficiently and safely perform, at the standards set by the employer, the duties required in that job.

B. After a person with a disability is employed, the employer shall not be required under this chapter to promote or transfer such person to another job or occupation, unless, prior to such transfer, such person is qualified for such job or occupation.

C. This section shall not be construed to require any employer to modify any physical accommodations or administrative procedures to accommodate a handicapped individual. (Ord. 92-45 (part), 1992; prior code § 12-8)

Section 9.24.090 City contracts.

9.24.090 City contracts.

Every contract to which the city or any of its political or civil subdivisions is a party, including franchises granted to the utility service board of the city, shall contain a provision requiring the contractor and his subcontractors not to discriminate against any employee or applicant for employment who is to be employed in the performance of such contract with respect to his or her hire, tenure, terms, conditions or privileges of employment or any matter directly or indirectly related to employment because of his or her race, religion, color, sex, disability, national origin, ~~or~~ ancestry, sexual orientation, or gender identity. Breach of this covenant may be considered a material breach of the contract. (Ord. 92-45 (part), 1992; prior code § 12-9)

Section 9.24.100 Territorial applicability of chapter.

9.24.100 Territorial applicability of chapter.

This chapter applies to practices within the city and to housing units and dwellings located within the city, except that a commission formed pursuant to this chapter shall have no jurisdiction over the state or any of its agencies. Such state agencies are those as defined under Section 9.20.010. (Ord. 92-45 (part); prior code § 12-10)

Section II. Chapter 9, Section 28 of the Columbus City Code, is hereby amended to read as follows:

Chapter 9.28 HOUSING DISCRIMINATION

Sections:

9.28.010 Purpose.

9.28.020 Exemptions--Sale or rental of single-family houses--Rooms or units in certain

	dwellings.
9.28.030	Exemptions--Religious organizations.
9.28.040	Exemptions--Private clubs.
9.28.050	Exemptions--Housing for older persons.
9.28.060	Exemptions--Appraisals of property.
9.28.070	Health or safety restrictions--Other laws not affected.
9.28.080	Administration of chapter provisions.
9.28.090	Adoption of rules.
9.28.100	Action on complaints alleging violations.
9.28.110	Delegation of powers and duties to director.
9.28.120	Cooperation with other entities.
9.28.130	Subpoenas and discovery provisions.
9.28.140	Deferral and transfer of complaints.
9.28.150	Acceptance of gifts and grants.
9.28.160	Discrimination in connection with sale or rental of dwellings prohibited--Exception.
9.28.170	Discriminatory notices, statements or advertising prohibited.
9.28.180	Representations regarding availability of dwelling for inspection.
9.28.190	Representations regarding entry of certain persons into neighborhood.
9.28.200	Persons with a disability--Discrimination prohibited.
9.28.210	Residential real estate related transaction defined.
9.28.220	Discrimination prohibited--Selling, brokering or appraising residential real property.
9.28.230	Discrimination prohibited--Brokers' organizations, services or facilities.
9.28.240	Coercion, intimidation, threats or interference.
9.28.250	Administrative enforcement--Investigation of discriminatory housing practices--Filing of complaint--Amendment--Notice.
9.28.260	Administrative enforcement--Complaint response.
9.28.270	Administrative enforcement--Investigation of complaints referred by federal government.
9.28.280	Administrative enforcement--Joinder of additional or substitute respondents.
9.28.290	Administrative enforcement--Conciliation agreements.
9.28.300	Administrative enforcement--Action for temporary or preliminary relief.
9.28.310	Administrative enforcement--Final investigative report.
9.28.320	Administrative enforcement--Determination of probable cause.
9.28.330	Administrative enforcement--Finding of probable cause--Contents--Copies.
9.28.340	Administrative enforcement--Dismissal of complaint.
9.28.350	Administrative enforcement--Finding of probable cause precluded after commencement of civil actions.
9.28.360	Administrative enforcement--Election to have claims decided in civil action.
9.28.370	Administrative enforcement--Filing of civil action--Intervention by aggrieved persons--Granting of relief.
9.28.380	Administrative enforcement--Hearing.
9.28.390	Administrative enforcement--Order for appropriate relief--Penalties.
9.28.400	Administrative enforcement--Certain contracts, sales, encumbrances or leases unaffected by order.
9.28.410	Administrative enforcement--Respondents subject to licensing or regulation by governmental agencies.
9.28.420	Administrative enforcement--Issuance of subsequent orders to same respondent.
9.28.430	Enforcement by private persons--Filing of action by aggrieved person.
9.28.440	Enforcement by private persons--Award of relief.
9.28.450	Enforcement by private persons--Certain contracts, sales, encumbrances or leases

- unaffected by relief granted.
- 9.28.460 Intervention by commission.
- 9.28.470 Enforcement by the commission--Filing of civil action.
- 9.28.480 Enforcement by the commission--Award of relief.
- 9.28.490 Enforcement by the commission--Intervention in civil action.
- 9.28.500 Enforcement of subpoena.
- 9.28.510 Attorney's fees and court costs.

Section 9.28.010 Purpose.

9.28.010 Purpose.

The purposes of this chapter are the following:

- A. To provide fair housing rights and remedies in addition to those in Section 9.24.030;
- B. To provide fair housing law that is substantially equivalent to federal law (Title VIII of the Civil Rights Act of 1968). (Ord. 92-45 (part), 1992; prior code § 12-3.5-1)

Section 9.28.020 Exemptions--Sale or rental of single-family houses--Rooms or units in certain dwellings.

9.28.020 Exemptions—Sale or rental of single-family houses—Rooms or units in certain dwellings.

- A. Subject to subsection B of this section, Sections 9.28.160 through 9.28.240 do not apply to the following:
 - 1. The sale or rental of a single-family house sold or rented by an owner if:
 - a. The owner does not:
 - i. Own more than three single-family houses at any one time, or
 - ii. Own any interest in, nor is there owned or reserved on the owner's behalf, under any express or voluntary agreement, title to or any right to any part of the proceeds from the sale or rental of more than three single-family houses at any one time, and
 - b. The house was sold or rented without:
 - i. The use of the sale or rental facilities or services of a real estate broker, an agent or a salesman licensed under Indiana Code, 25-34.1; or of an employee or agent of a licensed broker, an agent or a salesman; or the facilities or services of the owner of a dwelling designed or intended for occupancy by five or more families, or
 - ii. The publication, posting or mailing of a notice, a statement or an advertisement prohibited by Section 9.28.170.
 - 2. The sale or rental of rooms or units in a dwelling containing living quarters occupied or intended to be occupied by no more than four families living independently of each other if the owner maintains and occupies one of the living quarters as the owner's residence.
- B. The exemption in subsection (A)(1) of this section applies to only one sale or rental in a twenty-four month period if the owner was not the most recent resident of the house at the time of the sale or rental. (Ord. 92-45 (part), 1992; prior code § 12-3.5-2-1)

Section 9.28.030 Exemptions--Religious organizations.

9.28.030 Exemptions—Religious organizations.

This chapter does not prohibit a religious organization, association or society or any nonprofit institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association or society from:

- A. Limiting the sale, rental or occupancy of dwellings that it owns or operates for other than a commercial purpose to persons of the same religion; or
- B. Giving preference to persons of the same religion, unless membership in such religion is restricted because of race, color, sex, disability, national origin, religion, ancestry, sexual orientation, gender identity or age~~race, color or national origin~~. (Ord. 92-45 (part), 1992; prior code § 12-3.5-2-2)

Section 9.28.040 Exemptions--Private clubs.

9.28.040 Exemptions—Private clubs.

This chapter does not prohibit a private club, not in fact open to the public, which as an incident to the club's primary purpose, provides lodging which the club owns or operates for other than a commercial purpose, from limiting the rental or occupancy of such lodging to its members or from giving preference to its members, unless membership in such club is restricted because of race, color, sex, disability, national origin, religion, ancestry, sexual orientation, gender identity or age~~race, color or national origin~~. (Ord. 92-45 (part), 1992; prior code § 12-3.5-2-3)

Section 9.28.050 Exemptions--Housing for older persons.

9.28.050 Exemptions—Housing for older persons.

A. As used in this chapter, "Housing for Older Persons" means housing that the commission determines is:

1. Specifically designed and operated to assist elderly persons under a federal or state program;
2. Intended for, and solely occupied by, persons at least sixty-two years of age; or
3. Intended and operated for occupancy by at least one person at least fifty-five years of age in each unit.

B. Housing that includes units that are unoccupied or that are occupied by persons who do not meet the age requirements of subsection (A)(2) or (A)(3) of this section does not fail to meet the requirements for housing for older persons if:

1. The unoccupied units are reserved for persons who meet the age requirements of subsection (A)(2) or (A)(3); of this section;
2. The occupants who do not meet the age requirements of said subsection (A)(2) or (A)(3) have resided in the housing since September 13, 1988, or an earlier date, and the persons who became occupants after September 13, 1988, meet the age requirements of said subsection (A)(2) or (A)(3).

C. The commission shall adopt rules under Section 2.58.030(B)(2) to establish criteria for making determinations under subsection A of this section. These rules must include at least the following provisions:

1. Except as provided in subsection (C)(2) of this section, the housing must provide significant facilities and services specifically designed to meet the physical or social needs of older persons.
2. If the provision of the facilities and services described in subsection (C) (1) of this section is not practicable, the housing must be necessary to provide important housing opportunities for older persons.
3. At least eighty percent of the units must be occupied by at least one person who is at least fifty-five years of age.
4. The owner or manager of the housing must publish and adhere to policies and procedures that demonstrate an intent by the owner or manager to provide housing for persons who are at least fifty-five years of age.

D. The provisions of Sections 9.28.160 through 9.28.240 relating to familial status do not apply to housing for older persons. (Ord. 92-45 (part), 1992; prior code § 12-3.5-2-4)

Section 9.28.060 Exemptions--Appraisals of property.

9.28.060 Exemptions—Appraisals of property.

This chapter does not prohibit a person engaged in the business of furnishing appraisals of real property from taking into consideration factors other than race, color, sex, disability, national origin, religion, ancestry, sexual orientation, gender identity or age~~race, color, religion, sex, disability, familial~~

~~status or national original.~~ (Ord. 92-45 (part), 1992; prior code § 12-3.5-2-5)

Section 9.28.070 Health or safety restrictions--Other laws not affected.

9.28.070 Health or safety restrictions—Other laws not affected.

A. This chapter does not affect a reasonable local or state restriction on the maximum number of occupants permitted to occupy a dwelling or restriction relating to health or safety standards.

B. This chapter does not affect a requirement of nondiscrimination in any other state or federal law. (Ord. 92-45 (part), 1992; prior code § 12-3.5-2-6)

Section 9.28.080 Administration of chapter provisions.

9.28.080 Administration of chapter provisions.

The commission shall administer this chapter. (Ord. 92-45 (part), 1992; prior code § 12-3.5-3-1)

Section 9.28.090 Adoption of rules.

9.28.090 Adoption of rules.

The commission may adopt rules under Section 2.58.030(B)(2) necessary to implement this chapter. (Ord. 92-45 (part), 1992; prior code § 12-3.5-3-2)

Section 9.28.100 Action on complaints alleging violations.

9.28.100 Action on complaints alleging violations.

As provided by Section 9.28.290, the commission shall receive, investigate, conciliate and act on complaints alleging violations of this chapter. (Ord. 92-45 (part), 1992; prior code § 12-3.5-3-3)

Section 9.28.110 Delegation of powers and duties to director.

9.28.110 Delegation of powers and duties to director.

The commission may, by rule, authorize the director of the commission to exercise the commission's powers or perform the commission's duties under this chapter. (Ord. 92-45 (part), 1992; prior code § 12-3.5-3-4)

Section 9.28.120 Cooperation with other entities.

9.28.120 Cooperation with other entities.

The commission shall cooperate with and, as appropriate, may seek or provide technical and other assistance to federal, state, local and other public or private entities that are formulating or operating programs to prevent or eliminate discriminatory housing practices. (Ord. 92-45 (part), 1992; prior code § 12-3.5-3-5)

Section 9.28.130 Subpoenas and discovery provisions.

9.28.130 Subpoenas and discovery provisions.

A. The commission may issue subpoenas and order discovery as provided by this chapter in aid of investigations and hearings under this chapter.

B. Subpoenas and discovery in aid of investigations may be ordered to the same extent and are subject to the same limitations as subpoenas and discovery in a civil action in a circuit court. Subpoenas and discovery in aid of hearings are subject to Indiana Code, 4-21.5. (Ord. 92-45 (part), 1992; prior code § 12-3.5-3-6)

Section 9.28.140 Deferral and transfer of complaints.

9.28.140 Deferral and transfer of complaints.

A. The commission may defer proceedings under this chapter and transfer a complaint to the

Indiana Civil Rights Commission if the Indiana Civil Rights Commission has been recognized by the United States Department of Housing and Urban Development as having adopted statutes providing fair housing rights and remedies that are substantially equivalent to the rights and remedies granted under federal law.

B. The commission may defer proceedings under this chapter and transfer a complaint to the Department of Housing and Urban Development pursuant to the rules and regulations of this commission and of the Department of Housing and Urban Development. (Ord. 92-45 (part), 1992; prior code § 12-3.5-3-7)

Section 9.28.150 Acceptance of gifts and grants.

9.28.150 Acceptance of gifts and grants.

The commission may accept gifts and grants from any public or private source for the purpose of administering this chapter. (Ord. 92-45 (part), 1992; prior code § 12-3.5-3-8)

Section 9.28.160 Discrimination in connection with sale or rental of dwellings prohibited--Exception.

9.28.160 Discrimination in connection with sale or rental of dwellings prohibited—Exception.

A. A person may not refuse to sell or to rent after the making of a bona fide offer, refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny a dwelling to any person because of race, color, religion, sex, familial status, disability, ~~or~~ national origin, ancestry, sexual orientation, gender identity, or age.

B. A person may not discriminate against any person in the terms, conditions or privileges of sale or rental of a dwelling, or in providing services or facilities in connection with the sale or rental of a dwelling, because of race, color, religion, sex, familial status, disability, ~~or~~ national origin, ancestry, sexual orientation, gender identity, or age.

C. This chapter does not prohibit discrimination against a person because the person has been convicted under federal law or the law of any state of the illegal manufacture or distribution of a controlled substance. (Ord. 92-45 (part), 1992; prior code § 12-3.5-4-1)

Section 9.28.170 Discriminatory notices, statements or advertising prohibited.

9.28.170 Discriminatory notices, statements or advertising prohibited.

A person may not make, print or publish or cause to be made, printed or published any notice, statement or advertisement with respect to the sale or rental of a dwelling that indicates any preference, limitation or discrimination based on race, color, religion, sex, disability, familial status, ~~or~~ national origin, ancestry, sexual orientation, gender identity, or age, or an intention to make such a preference, limitation or discrimination. (Ord. 92-45 (part), 1992; prior code § 12-3.5-4-2)

Section 9.28.180 Representations regarding availability of dwelling for inspection.

9.28.180 Representations regarding availability of dwelling for inspection.

A person may not represent to any person because of race, color, religion, sex, disability, familial status, ~~or~~ national origin, ancestry, sexual orientation, gender identity, or age that a dwelling is not available for inspection for sale or rental when the dwelling is available for inspection. (Ord. 92-45 (part), 1992; prior code § 12-3.5-4-3)

Section 9.28.190 Representations regarding entry of certain persons into neighborhood.

9.28.190 Representations regarding entry of certain persons into neighborhood.

A person may not, for profit, induce or attempt to induce a person to sell or rent a dwelling by

representations regarding the entry or prospective entry into a neighborhood of a person of a particular race, color, religion, sex, disability, familial status, ~~or~~ national origin, ancestry, sexual orientation, gender identity, or age. (Ord. 92-45 (part), 1992; prior code § 12-3.5-4-4)

Section 9.28.200 Persons with a disability--Discrimination prohibited.

9.28.200 Persons with a disability—Discrimination prohibited.

A. A person may not discriminate in the sale or rental or otherwise make available or deny a dwelling to any buyer or renter because of a disability of:

1. The buyer or renter;
2. A person residing in or intending to reside in the dwelling after the dwelling is sold, rented or made available; or
3. Any person associated with the buyer or renter.

B. A person may not discriminate against any person in the terms, conditions or privileges of sale or rental of a dwelling or in the provision of services or facilities in connection with the dwelling because of a disability of:

1. The person;
2. A person residing in or intending to reside in the dwelling after the dwelling is sold, rented or made available; or
3. Any person associated with the person.

C. For purposes of this section only, "discrimination" includes the following:

1. A refusal to permit, at the expense of the person with a disability, reasonable modifications of existing premises occupied or to be occupied by the person with a disability if the modifications may be necessary to afford the person full enjoyment of the premises.

a. A landlord may condition permission for a modification on the renter providing a reasonable description of the proposed modifications as well as reasonable assurances that the work will be done in a manner that is consistent with the quality of the existing premises and that any required building permits will be obtained.

b. A landlord may, where it is reasonable to do so, condition permission for a modification on the renter agreeing to restore the premises to the condition that existed before the modification, reasonable wear and tear excepted.

c. The landlord may not increase for persons with a disability any customarily required security deposit. However, where it is necessary in order to ensure with reasonable certainty that funds will be available to pay for the restorations at the end of the tenancy, the landlord may negotiate as part of such a restoration agreement a provision requiring that the tenant pay into an interest bearing escrow account, over a reasonable period, a reasonable amount of money not to exceed the cost of the restorations. The interest in any such account shall accrue to the benefit of the tenant.

2. A refusal to make reasonable accommodations in rules, policies, practices or services, when the accommodations may be necessary to afford the person with a disability equal opportunity to use and enjoy a dwelling.

3. In connection with the design and construction of covered multifamily dwellings for first occupancy after March 13, 1991, a failure to design and construct those dwellings in a manner that:

a. The public use and common use parts of the dwellings are readily accessible to and usable by persons with a disability;

b. All the doors are designed to allow passage into and within all premises within the dwellings and are sufficiently wide to allow passage by persons with a disability in wheelchairs; and

c. All premises within the dwellings contain the following features of adaptive design:

i. An accessible route into and through the dwelling;

- ii. Light switches, electrical outlets, thermostats and other environmental controls in accessible locations;
 - iii. Reinforcements in bathroom walls to allow later installation of grab bars; and
 - iv. Usable kitchens and bathrooms so that an individual in a wheelchair can maneuver about the space.
- D. As used in subsection C of this section, "covered multifamily dwellings" means:
- 1. Buildings consisting of four or more units if the buildings have one or more elevators; and
 - 2. Ground floor units in other buildings consisting of four or more units.
- E. Compliance with the rules of the fire prevention and building safety commission that incorporate by reference the appropriate requirements of the American National Standard for buildings and facilities providing accessibility and usability for physically handicapped people (ANSI A117.1) satisfies the requirements of subsection (C) (3) (c) of this section.
- F. This section does not require that a dwelling be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others. (Ord. 92-45 (part), 1992; prior code § 12-3.5-4-5)

Section 9.28.210 Residential real estate related transaction defined.

9.28.210 Residential real estate related transaction defined.

As used in Sections 9.28.160 through 9.28.240, "residential real estate related transaction" means the following: Making or purchasing loans or providing other financial assistance:

- A. To purchase, construct, improve, repair or maintain a dwelling;
- B. To secure residential real estate. (Ord. 92-45 (part), 1992; prior code § 12-3.5-4-6)

Section 9.28.220 Discrimination prohibited--Selling, brokering or appraising residential real property.

9.28.220 Discrimination prohibited—Selling, brokering or appraising residential real property.

A person whose business includes engaging in residential real estate related transactions may not discriminate against a person in making a real estate related transaction available or in the terms or conditions of a real estate related transaction because of race, color, religion, sex, disability, familial status, ~~or~~ national origin, ancestry, sexual orientation, gender identity, or age. (Ord. 92-45 (part), 1992; prior code § 12-3.5-4-7)

Section 9.28.230 Discrimination prohibited--Brokers' organizations, services or facilities.

9.28.230 Discrimination prohibited—Brokers' organizations, services or facilities.

A person may not deny any person access to, or membership or participation in, a multiple-listing service, real estate brokers' organization or other service, organization or facility relating to the business of selling or renting dwellings, or discriminate against a person in the terms or conditions of access, membership or participation in such an organization, service or facility because of race, color, religion, sex, disability, familial status, ~~or~~ national origin, ancestry, sexual orientation, gender identity, or age. (Ord. 92-45 (part), 1992; prior code § 12-3.5-4-8)

Section 9.28.240 Coercion, intimidation, threats or interference.

9.28.240 Coercion, intimidation, threats or interference.

A person may not coerce, intimidate, threaten or interfere with any other person:

- A. In the exercise or enjoyment of any right granted or protected by this chapter; or
- B. Because the person has exercised or enjoyed, or has encouraged another person in the exercise or enjoyment of, any right granted or protected by this chapter. (Ord. 92-45 (part), 1992; prior code § 12-3.5-4-9)

Section 9.28.250 Administrative enforcement--Investigation of discriminatory housing practices--Filing of complaint--Amendment--Notice.

9.28.250 Administrative enforcement—Investigation of discriminatory housing practices—Filing of complaint—Amendment—Notice.

The commission shall investigate alleged discriminatory housing practices.

A. A complaint concerning an alleged discriminatory housing practice as defined in this chapter must be filed not later than one hundred and eighty days after an alleged discriminatory housing practice has occurred or terminated, whichever is later.

B. A complaint under this chapter may be reasonably and fairly amended at any time.

C. When a complaint is filed under this chapter the commission shall do the following:

- 1. Give the aggrieved person notice that the complaint has been received;
- 2. Advise the aggrieved person of the time limits and choice of forums under this chapter;
- 3. Not later than twenty days after the filing of the complaint or the identification of an

additional respondent under Section 9.28.280, serve on each respondent:

a. A notice identifying the alleged discriminatory housing practice and advising the respondent of the procedural rights and obligations of a respondent under this chapter, and

b. A copy of the original complaint. (Ord. 92-45 (part), 1992; prior code § 12-3.5-5-1)

Section 9.28.260 Administrative enforcement--Complaint response.

9.28.260 Administrative enforcement—Complaint response.

A. Not later than ten days after receipt of the notice and copy under Section 9.28.250 (C) (3), a respondent may file an answer to the complaint.

B. An answer must be:

- 1. In writing;
- 2. Under oath; and
- 3. In the form prescribed by the commission.

C. An answer may be reasonably and fairly amended at any time with the consent of the director.

D. An answer does not inhibit the investigation of a complaint. (Ord. 92-45 (part), 1992; prior code § 12-3.5-5-2)

Section 9.28.270 Administrative enforcement--Investigation of complaints referred by federal government.

9.28.270 Administrative enforcement—Investigation of complaints referred by federal government.

A. If the federal government or the state has referred a complaint to the commission or has deferred jurisdiction over the subject matter of the complaint to the commission, the commission shall promptly investigate the allegations set forth in the complaint.

B. The commission shall investigate all complaints, and except as provided by subsection (C) of this section, shall complete an investigation not later than one hundred days after the date the complaint is filed, or if the commission is unable to complete the investigation within the one hundred day period, shall dispose of all administrative proceedings related to the investigation not later than one year after the date the complaint is filed.

C. If the commission is unable to complete an investigation within the time periods prescribed by subsection B of this section, the commission shall notify the complainant and the respondent in writing of the reasons for the delay. (Ord. 92-45 (part), 1992; prior code § 12-3.5-5-3)

Section 9.28.280 Administrative enforcement--Joinder of additional or substitute respondents.

9.28.280 Administrative enforcement—Joinder of additional or substitute respondents.

A. The commission may join a person not named in the complaint as an additional or substitute respondent if in the course of the investigation the commission determines that the person should be accused of a discriminatory housing practice.

B. In addition to the information required in the notice under Section 9.28.250 (C) (3), the commission shall include in a notice to a respondent joined under this section an explanation of the basis for the determination that the person is properly joined as a respondent. (Ord. 92-45 (part), 1992; prior code § 12-3.5-5-4)

Section 9.28.290 Administrative enforcement--Conciliation agreements.

9.28.290 Administrative enforcement—Conciliation agreements.

A. The commission shall, during the period beginning with the filing of a complaint and ending with the filing of a charge or a dismissal by the commission, to the extent feasible, engage in conciliation with respect to the complaint.

B. A conciliation agreement is an agreement between a respondent and the complainant and is subject to commission approval.

C. A conciliation agreement may provide for binding arbitration or other methods of dispute resolution. Dispute resolution that results from a conciliation agreement may authorize appropriate relief, including monetary relief.

D. A conciliation agreement shall be made public unless the complainant and respondent agree otherwise and the commission determines that disclosure is not necessary to further the purposes of this chapter.

E. Nothing said or done in the course of conciliation may be made public or used as evidence in a subsequent proceeding under this chapter without the written consent of the persons concerned.

F. After completion of the commission's investigation, the commission shall make available to the aggrieved person and the respondent, at any time, information derived from the investigation and the final investigation report relating to that investigation. (Ord. 92-45 (part), 1992; prior code § 12-3.5-5-5)

Section 9.28.300 Administrative enforcement--Action for temporary or preliminary relief.

9.28.300 Administrative enforcement—Action for temporary or preliminary relief.

A. If the commission concludes at any time following the filing of a complaint that prompt judicial action is necessary to carry out the purposes of this chapter, the commission may file a civil action for appropriate temporary or preliminary relief pending final disposition of the complaint in a circuit or superior court that is located in the county in which the alleged discriminatory housing practice occurred.

B. A temporary restraining order or other order granting preliminary or temporary relief under this section is governed by the Indiana Rules of Trial Procedure.

C. The filing of a civil action under this section does not affect the initiation or continuation of administrative proceedings under Section 9.28.380. (Ord. 92-45 (part), 1992; prior code § 12-3.5-5-6)

Section 9.28.310 Administrative enforcement--Final investigative report.

9.28.310 Administrative enforcement—Final investigative report.

A. The commission shall prepare a final investigative report showing the following:

1. The names and dates of contracts with witnesses;

2. A summary of correspondence and other contracts with the aggrieved person and the respondent showing the dates of the correspondence and contracts;
 3. A summary description of other pertinent records;
 4. A summary of witness statements;
 5. Answers to interrogatories.
- B. A final report under this chapter may be amended if additional evidence is discovered. (Ord. 92-45 (part), 1992; prior code § 12-3.5-5-7)

Section 9.28.320 Administrative enforcement--Determination of probable cause.

9.28.320 Administrative enforcement—Determination of probable cause.

A commission shall determine based on the facts whether probable cause exists to believe that a discriminatory housing practice has occurred or is about to occur.

B. The commission shall make the determination under subsection A of this section not later than one hundred days after the date a complaint is filed unless:

1. It is impracticable to make the determination; or
2. The commission has approved a conciliation agreement relating to the complaint.

C. If it is impracticable to make the determination within the time period provided by subsection B of this section, the commission shall notify the complainant and respondent in writing of the reasons for the delay.

D. If the commission determines that probable cause exists to believe that a discriminatory housing practice has occurred or is about to occur, the commission shall immediately issue a finding of probable cause on behalf of the aggrieved person. (Ord. 92-45 (part), 1992; prior code § 12-3.5-5-8)

Section 9.28.330 Administrative enforcement--Finding of probable cause--Contents--Copies.

9.28.330 Administrative enforcement—Finding of probable cause—Contents—Copies.

- A. A finding of probable cause issued under Section 9.28.320;
1. Must consist of a short and plain statement of the facts on which the commission has found probable cause to believe that a discriminatory housing practice has occurred or is about to occur;
 2. Must be based on the final investigative report; and
 3. Need not be limited to the facts or grounds alleged in the complaint.
- B. Not later than twenty days after the commission issues a finding of probable cause, the commission shall send a copy of the finding of probable cause with the information concerning the election under Section 9.28.360 to the following:
1. Each respondent, together with a notice of the opportunity for a hearing provided by Section 9.28.380;
 2. Each aggrieved person on whose behalf the complaint was filed. (Ord. 92-45 (part), 1992; prior code § 12-3.5-5-9)

Section 9.28.340 Administrative enforcement--Dismissal of complaint.

9.28.340 Administrative enforcement—Dismissal of complaint.

A. If the commission determines that no probable cause exists to believe that a discriminatory housing practice has occurred or is about to occur, the commission shall promptly dismiss the complaint.

B. The commission shall make public disclosure of each dismissal under this section. (Ord. 92-45 (part), 1992; prior code § 12-3.5-5-10)

Section 9.28.350 Administrative enforcement--Finding of probable cause precluded after commencement of civil actions.

9.28.350 Administrative enforcement—Finding of probable cause precluded after commencement

of civil actions.

The commission may not issue a finding of probable cause under this chapter regarding an alleged discriminatory housing practice after the beginning of the trial of a civil action commenced by the aggrieved party under federal or state law seeking relief with respect to that discriminatory housing practice. (Ord. 92-45 (part), 1992; prior code § 12-3.5-5-11)

Section 9.28.360 Administrative enforcement--Election to have claims decided in civil action.

9.28.360 Administrative enforcement—Election to have claims decided in civil action.

A. A complainant, a respondent or an aggrieved person on whose behalf the complaint was filed may elect to have the claims asserted in a finding of probable cause decided in a civil action as provided by Section 9.28.370.

B. The election must be made not later than twenty days after the date of receipt by the electing person of service under Section 9.28.330 (B) or, in the case of the commission, not later than twenty days after the date the finding of probable cause was issued.

C. The person making the election shall give notice to the commission and to all other complainants and respondents to whom the finding of probable cause relates. (Ord. 92-45 (part), 1992; prior code § 12-3.5-5-12)

Section 9.28.370 Administrative enforcement--Filing of civil action--Intervention by aggrieved persons--Granting of relief.

9.28.370 Administrative enforcement—Filing of civil action—Intervention by aggrieved persons—Granting of relief.

A. If a timely election is made under Section 9.28.360, the commission shall:

Within five days of the commission's receipt of the election, transfer the complaint to the Indiana Civil Rights Commission for the Indiana Civil Rights Commission's filing of a civil action on behalf of the aggrieved party. Upon such transfer, neither the city of Columbus nor the commission shall be a party to such action.

B. An aggrieved person may intervene in the action.

C. If the court finds that a discriminatory housing practice has occurred or is about to occur, the court may grant as relief any relief that a court may grant in a civil action under Indiana Code, 22-9.5-7.

D. If monetary relief is sought for the benefit of an aggrieved person who does not intervene in the civil action, the court may not award the monetary relief if that aggrieved person has not complied with discovery orders entered by the court. (Ord. 92-45 (part), 1992; prior code § 12-3.5-5-13)

Section 9.28.380 Administrative enforcement--Hearing.

9.28.380 Administrative enforcement—Hearing.

A. If a timely election is not made under Section 9.28.360, the commission shall provide for a hearing on the finding of probable cause.

B. Except as provided by subsection C of this section, Indiana Code, 4-21.5 governs a hearing and an appeal of a hearing under this section.

C. A hearing under this section may not continue regarding any alleged discriminatory housing practice after the beginning of the trial of a civil action commenced by the aggrieved person under federal or state law seeking relief with respect to that discriminatory housing practice. (Ord. 92-45 (part), 1992; prior code § 12-3.5-5-14)

Section 9.28.390 Administrative enforcement--Order for appropriate relief--Penalties.

9.28.390 Administrative enforcement—Order for appropriate relief—Penalties.

A. If the commission determines at a hearing under Section 9.28.380 that a respondent has engaged in or is about to engage in a discriminatory housing practice, the commission may order the appropriate relief, including actual damages, reasonable attorney's fees, court costs and other injunctive or equitable relief.

B. To vindicate the public interest, the commission may assess a civil penalty against the respondent in an amount that does not exceed the following:

1. Ten thousand dollars if the respondent has not been adjudged by order of the commission or a court to have committed a prior discriminatory housing practice.

2. Except as provided by subsection C of this section, twenty-five thousand dollars if the respondent has been adjudged by order of the commission or a court to have committed one other discriminatory housing practice during the five-year period ending on the date of the filing of the finding of probable cause.

3. Except as provided by subsection C of this section, fifty thousand dollars if the respondent has been adjudged by order of the commission or a court to have committed two or more discriminatory housing practices during the seven-year period ending on the date of the filing of the finding of probable cause.

C. If the acts constituting the discriminatory housing practice that is the object of the finding of probable cause are committed by the same individual who has been previously adjudged to have committed acts constituting a discriminatory housing practice, the civil penalties in subsections (B) (2) and (3) of this section may be imposed without regard to the period of time within which any other discriminatory housing practice occurred.

D. The commission may sue to recover a civil penalty due under this section. (Ord. 92-45 (part), 1992; prior code § 12-3.5-5-15)

Section 9.28.400 Administrative enforcement--Certain contracts, sales, encumbrances or leases unaffected by order.

9.28.400 Administrative enforcement—Certain contracts, sales, encumbrances or leases unaffected by order.

A commission order under Section 9.28.390 does not affect a contract, a sale, an encumbrance or a lease that:

A. Was consummated before the commission issued the order; and

B. Involved a bona fide purchaser, an encumbrancer, or a tenant who did not have actual notice of the finding of probable cause filed under this chapter. (Ord. 92-45 (part), 1992; prior code § 12-3.5-5-16)

Section 9.28.410 Administrative enforcement--Respondents subject to licensing or regulation by governmental agencies.

9.28.410 Administrative enforcement—Respondents subject to licensing or regulation by governmental agencies.

If the commission issues an order with respect to a discriminatory housing practice that occurred in the course of a business subject to licensing or regulation by a governmental agency, the commission shall, not later than thirty days after the date of the issuance of the order:

A. Send copies of the findings and the order to the governmental agency; and

B. Recommend to the governmental agency appropriate disciplinary action. (Ord. 92-45 (part), 1992; prior code § 12-3.5-5-17)

Section 9.28.420 Administrative enforcement--Issuance of subsequent orders to same respondent.

9.28.420 Administrative enforcement—Issuance of subsequent orders to same respondent.

If the commission issues an order against a respondent against whom another order was issued

within the preceding five years under Section 9.28.390, the commission shall send a copy of each order issued under that section to the Attorney General. (Ord. 92-45 (part), 1992; prior code § 12-3.5-5-18)

Section 9.28.430 Enforcement by private persons--Filing of action by aggrieved person.

9.28.430 Enforcement by private persons—Filing of action by aggrieved person.

A. Pursuant to Indiana Code, 22-9.5-7-1, an aggrieved person may file a civil action in the circuit or superior court located in the county in which the alleged discriminatory practice occurred not later than one year after the occurrence of the termination of an alleged discriminatory housing practice or the breach of a conciliation agreement entered into under this chapter, whichever occurs last, to obtain appropriate relief with respect to the discriminatory housing practice or breach.

B. The one-year period does not include any time during which an administrative hearing under this chapter is pending with respect to a complaint or finding of probable cause under this chapter based on the discriminatory housing practice. This subsection does not apply to actions arising from a breach of a conciliation agreement.

C. An aggrieved person may file an action under this section whether or not a complaint has been filed under this chapter and without regard to the status of any complaint filed under this chapter.

D. If the commission has obtained a conciliation agreement with the consent of an aggrieved person, the aggrieved person may not file an action under this section with respect to the alleged discriminatory housing practice that forms the basis for the complaint except to enforce the terms of the agreement.

E. An aggrieved person may not file an action under this section with respect to an alleged discriminatory housing practice that forms the basis of a finding of probable cause issued by the commission if the commission has begun a hearing on the record under this chapter with respect to the finding of probable cause. (Ord. 92-45 (part), 1992; prior code § 12-3.5-6-1)

Section 9.28.440 Enforcement by private persons--Award of relief.

9.28.440 Enforcement by private persons—Award of relief.

If the court finds that a discriminatory housing practice has occurred or is about to occur in an action under this chapter, pursuant to Indiana Code, 22-9.5-7-2 the court may award to the prevailing party the following:

A. Actual and punitive damages;

B. Reasonable attorney's fees;

C. Court costs;

D. Subject to Indiana Code, 22-9.5-7-3, any permanent or temporary injunction, temporary restraining order or other order, including an order enjoining the defendant from engaging in the practice or ordering appropriate affirmative action. (Ord. 92-45 (part), 1992; prior code § 12-3.5-6-2)

Section 9.28.450 Enforcement by private persons--Certain contracts, sales, encumbrances or leases unaffected by relief granted.

9.28.450 Enforcement by private persons—Certain contracts, sales, encumbrances or leases unaffected by relief granted.

Relief granted under this chapter does not affect a contract, a sale, an encumbrance or a lease that:

A. Was consummated before the granting of the relief; and

B. Involved a bona fide purchaser, an encumbrancer or a tenant who did not have actual notice of the filing of a complaint or a civil action under this chapter. (Ord. 92-45 (part), 1992; prior code § 12-3.5-6-3)

Section 9.28.460 Intervention by commission.

9.28.460 Intervention by commission.

A. The commission may intervene in an action under this chapter if the commission determines that the case is of general public importance.

B. The commission may obtain the same relief available to the commission under Section 9.28.480. (Ord. 92-45 (part), 1992; prior code § 12-3.5-6-4)

Section 9.28.470 Enforcement by the commission--Filing of civil action.

9.28.470 Enforcement by the commission—Filing of civil action.

Pursuant to Indiana Code, 22-9.5-8-1, the commission may file a civil action for appropriate belief if the commission has probable cause to believe that:

A. A person is engaged in a pattern or practice of resistance to the full enjoyment of any right granted by this chapter; or

B. A person has been denied any right granted by this chapter and that denial raises an issue of general public importance.

An action under this section may be filed in a circuit or superior court located in the county in which the alleged pattern, practice or denial occurred. (Ord. 92-45 (part), 1992; prior code § 12-3.5-7-2)

Section 9.28.480 Enforcement by the commission--Award of relief.

9.28.480 Enforcement by the commission—Award of relief.

In an action filed under Sections 9.28.470 through 9.28.500, the court may do the following:

A. Award preventive relief, including a permanent or temporary injunction, restraining order or other order against the person responsible for a violation of this chapter as necessary to assure the full enjoyment of the rights granted by this chapter;

B. Award other appropriate relief, including monetary damages, reasonable attorney's fees and court costs;

C. To vindicate the public interest, assess a civil penalty against the respondent in an amount that does not exceed the following:

1. Fifty thousand dollars for a first violation,

2. One hundred thousand dollars for a second or subsequent violation. (Ord. 92-45 (part), 1992; prior code § 12-3.5-7-2)

Section 9.28.490 Enforcement by the commission--Intervention in civil action.

9.28.490 Enforcement by the commission—Intervention in civil action.

A person may intervene in an action filed under Sections 9.28.470 through 9.28.500, if the person is:

A. An aggrieved person to the discriminatory housing practice; or

B. A party to a conciliation agreement concerning the discriminatory housing practice. (Ord. 92-45 (part), 1992; prior code § 12-3.5-7-3)

Section 9.28.500 Enforcement of subpoena.

9.28.500 Enforcement of subpoena.

The commission attorney, on behalf of the commission or other party at whose request a subpoena is issued under this chapter, may enforce the subpoena in appropriate proceedings in the court in circuit or superior court. (Ord. 92-45 (part), 1992; prior code § 12-3.5-7-4)

Section 9.28.510 Attorney's fees and court costs.

9.28.510 Attorney's fees and court costs.

A court in a civil action brought under this chapter or the commission in an administrative hearing under Section 9.28.380 may award reasonable attorney's fees to the prevailing party and assess court costs against the nonprevailing party. (Ord. 92-45 (part), 1992; prior code § 12-3.5-8-1)

Section III. All prior ordinances or parts thereof inconsistent with any provision of this Ordinance are hereby repealed.

Section IV. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA,
on this the ____ day of _____, 2015, by a vote of ____ ayes and ____ nays.

Presiding Officer of the Common Council

ATTEST:

Clerk of the Common Council of Columbus, Indiana
Luann Welmer

Presented by me to the Mayor of Columbus, Indiana, this ____ day of _____, 2015 at ____
o'clock ____m.

Luann Welmer
Clerk-Treasurer

Approved and signed by me this ____ day of _____, 2015 at ____ o'clock ____m.

Kristen Brown
Mayor of the City of Columbus, Indiana

ORDINANCE NO. ____, 2015
2016 SALARY ORDINANCE

AN ORDINANCE FIXING SALARIES AND WAGES OF OFFICERS AND EMPLOYEES OF THE CITY OF COLUMBUS, INDIANA FOR CALENDAR YEAR 2016.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA:

SECTION I - SALARIED

That, and from after the first day of January, 2016, the following salaried employees of the City of Columbus, Indiana shall receive no more than the amount listed below the column named "MAXIMUM." The "Entry" column is entered as a guideline for suggested beginning salary.

	SALARY ENTRY	SALARY MAXIMUM
ANIMAL CARE SERVICES CENTER		
Animal Care Services General Manager	\$ 36,793	\$ 52,561
Animal Care Services Enforcement Manager	\$ 33,448	\$ 47,783
Animal Care Services Officer (34)	\$ 26,863	\$ 38,375
AVIATION		
Manager	\$ 55,208	\$ 78,868
Assistant Manager	\$ 45,864	\$ 65,520
Office Supervisor	\$ 26,164	\$ 37,377
Maintenance Manager.....	\$ 40,023	\$ 57,176
BOARD OF WORKS		
Citizens Members(4)	\$ 1,890	\$ 2,700
CITY GARAGE DEPARTMENT		
MVH:		
Director City Garage	\$ 47,846	\$ 68,352
MVH Foreman	\$ 31,548	\$ 45,069
Sanitation:		
Sanitation Foreman	\$ 31,548	\$ 45,069
Office Administrator	\$ 26,985	\$ 38,550
Secretary.....	\$ 25,851	\$ 36,930
Traffic:		
Foreman	\$ 31,548	\$ 45,069
CITY HALL/FACILITIES		
Building Supervisor	\$ 36,961	\$ 52,801
CLERK-TREASURER		
Administrative Assistant	\$ 24,964	\$ 35,663
Chief Deputy Clerk Treasurer	\$ 40,499	\$ 57,855
Accts Payable/Receivable	\$ 29,583	\$ 42,262
Payroll and Benefits Administrator	\$ 34,117	\$ 48,738
Deputy Clerk Treasurer.....	\$ 30,745	\$ 43,922
COMMUNITY DEVELOPMENT		
Director	\$ 51,506	\$ 73,580
Communications and Program Coordinator	\$ 34,222	\$ 48,888
Secretary	\$ 25,850	\$ 36,929
ENGINEERING		
City Engineer	\$ 58,537	\$ 83,624
Assistant Engineer	\$ 47,608	\$ 68,012
Senior Engineering Technician	\$ 39,332	\$ 56,189
Engineering Technicians (3)	\$ 29,002	\$ 41,432
FIRE DEPARTMENT		
Master Mechanic (Civilian).....	\$ 34,014	\$ 48,592
Chief & Director of Emergency Management.....	\$ 58,537	\$ 83,624
Deputy Chief (2).....	\$ 43,059	\$ 61,513

Battalion Chiefs (4)	\$ 41,009	\$ 58,584
Investigator/Inspectors (2)	\$ 39,056	\$ 55,794
Public Information Officer (1)	\$ 36,717	\$ 55,794
Captains (6)	\$ 39,056	\$ 55,794
Training Officer	\$ 39,056	\$ 55,794
Lieutenants (18)	\$ 37,196	\$ 53,137
Firefighters (60)	\$ 32,344	\$ 46,206
Administrative Asst / Fire Systems Operator	\$ 25,855	\$ 36,935
Chief's Secretary / Records Clerk	\$ 25,855	\$ 36,935

HUMAN RESOURCES

Director of Human Resources	\$ 51,506	\$ 73,580
Benefits Coordinator	\$ 27,763	\$ 39,662

HUMAN RIGHTS

Director	\$ 51,506	\$ 73,580
Deputy Director	\$ 33,335	\$ 47,621
Secretary	\$ 25,850	\$ 36,929

INFORMATION SERVICES

Director Information Technology	\$ 52,252	\$ 74,645
Asst Manager of Information Services	\$ 40,073	\$ 57,247
Technician	\$ 31,525	\$ 45,035

LEGAL DEPARTMENT

City Attorney	\$ 58,537	\$ 83,624
---------------------	-----------	-----------

MAYOR'S OFFICE

Executive Secretary	\$ 29,637	\$ 42,339
---------------------------	-----------	-----------

METROPOLITAN PLANNING

Manager	\$ 45,678	\$ 65,254
---------------	-----------	-----------

OPERATIONS AND FINANCE

Director of Operations and Finance	\$ 55,880	\$ 79,828
Technical Operations Resource	\$ 29,191	\$ 41,701

PARK AND RECREATION

Director of Parks & Recreation	\$ 60,055	\$ 87,510
Director of Business Services	\$ 45,864	\$ 65,520
Administrative Assistant	\$ 33,042	\$ 47,205
Park Maintenance Manager	\$ 40,634	\$ 58,050
Director of Sports Program and Athletic Facilities	\$ 45,864	\$ 65,520
Accounts Payable Specialist	\$ 25,849	\$ 36,929
Sports Coordinator	\$ 29,774	\$ 42,536
Secretary - Park Operations	\$ 25,849	\$ 36,929
Customer Service Specialist	\$ 25,849	\$ 36,929
Payroll/HR Specialist	\$ 25,849	\$ 36,929
Project & Resource Development Director	\$ 40,634	\$ 58,050
Recreation/CGC Program Manager	\$ 38,426	\$ 54,896
Marketing Coordinator	\$ 29,190	\$ 42,536
Aquatics Director	\$ 38,578	\$ 55,112
Asst Recreation/CGC Program Manager	\$ 29,701	\$ 42,430
The Commons Manager	\$ 40,634	\$ 58,050
The Commons Administrative Asst	\$ 25,849	\$ 36,929
Receptionist/Lead Secretary CGC/FFY	\$ 25,849	\$ 36,929
Hamilton Center Secretary	\$ 25,849	\$ 36,929
Hamilton Center Manager	\$ 29,701	\$ 42,430
Golf Pro/Manager	\$ 40,364	\$ 58,050

POLICE PARKING METER OFFICE

Administrative Specialist Supervisor	\$ 25,962	\$ 37,089
Meter Attendants (1)	\$ 23,064	\$ 32,949
PLANNING DEPARTMENT		
Director	\$ 58,518	\$ 83,597
Assistant Director	\$ 47,874	\$ 68,391
MPO Director	\$ 45,678	\$ 65,254
Senior Planner(2).....	\$ 38,331	\$ 54,759
Associate Planners (2)	\$ 30,966	\$ 44,237
Office Administrator	\$ 27,395	\$ 39,136
Enforcement Coordinator	\$ 33,455	\$ 47,793
POLICE DEPARTMENT		
Chief	\$ 51,066	\$ 72,951
Deputy Chief (1).....	\$ 46,423	\$ 66,319
Captains (2)	\$ 44,213	\$ 63,161
Public Relations Officer	\$ 42,107	\$ 60,153
Lieutenants (7)	\$ 42,107	\$ 60,153
Sergeants (14)	\$ 40,102	\$ 57,289
Patrol Officers (57)	\$ 33,419	\$ 47,741
Mechanic	\$ 30,166	\$ 43,094
Secretary - Chief	\$ 27,143	\$ 38,776
Administrative Specialist (4)	\$ 24,964	\$ 35,663
REDEVELOPMENT		
Director of Redevelopment	\$ 51,506	\$ 73,580
TRANSIT		
Coordinator	\$ 31,548	\$ 45,069
Operations Asst	\$ 26,985	\$ 38,550

SECTION II - HOURLY

That, and from after the First day of January, 2016, the following hourly employees of the City of Columbus, Indiana shall receive no more than the rate listed below the column named "MAXIMUM." The "ENTRY" column is entered as a guideline for a suggested beginning salary.

	ENTRY	MAXIMUM
ANIMAL CARE SERVICES CENTER		
Kennel Assistant	\$ 10.73	\$ 15.33
Part Time Kennel Assistants (4)	\$ 7.25	\$ 10.41
AVIATION		
Maintenance Laborer (2)	\$ 12.24	\$ 17.48
Part Time Laborers (4)	\$ 8.42	\$ 12.03
Maintenance Intern - Seasonal (2)	\$ 8.11	\$ 11.59
Administrative Intern - Seasonal (1)	\$ 8.11	\$ 11.59
CITY GARAGE DEPARTMENT		
MVH:		
Operators (5)	\$ 13.64	\$ 19.48
Drivers (5)	\$ 12.99	\$ 18.55
Drivers/Skilled Trade (6)	\$ 13.35	\$ 19.07
Sanitation:		
Operator (5).....	\$ 13.64	\$ 19.48
Drivers (16)	\$ 12.99	\$ 18.55
Part Time Driver (5)	\$ 10.58	\$ 15.11
Shop and Garage:		
Mechanic	\$ 15.81	\$ 22.59
Mechanic's Assistant.....	\$ 13.64	\$ 19.48
Driver.....	\$ 12.99	\$ 18.55
Traffic:		
Drivers (4)	\$ 12.99	\$ 18.55

CITY HALL/FACILITIES

Building and Grounds Maintenance (2)	\$	12.41	\$	17.73
Custodian (2).....	\$	11.03	\$	15.75

COMMUNITY DEVELOPMENT

Special Events Coordinator	\$	10.02	\$	14.32
----------------------------------	----	-------	----	-------

PARK AND RECREATION - Full Time

Golf Greens Superintendent	\$	14.55	\$	20.78
Golf Mechanic	\$	16.25	\$	23.22
Athletic Facilities Assistant Team Leader.....	\$	13.60	\$	19.42
Assistant Head Custodian FFY.....	\$	13.60	\$	19.42
Mechanic (1).....	\$	16.25	\$	23.22
Assistant Mechanic	\$	13.60	\$	19.42
Maintenance Supervisor	\$	17.75	\$	25.36
General Operator	\$	13.60	\$	19.42
Head Custodian	\$	14.55	\$	20.78
Assistant Team Leader - Grounds (2)	\$	13.60	\$	19.42
Head Custodian FFY.....	\$	14.55	\$	20.78
Team Leader - Grounds.....	\$	14.55	\$	20.78
Athletic Facilities Supervisor	\$	16.23	\$	23.18
Athletic Facilities Laborer (2)	\$	11.04	\$	15.76
Team Leader	\$	14.55	\$	20.78
Laborer - Maintenance and Grounds (6)	\$	11.04	\$	15.76
Assistant Team Leader	\$	13.60	\$	19.42
Donner Custodian	\$	11.04	\$	15.76
Custodian - FFY (4).....	\$	11.04	\$	15.76

PARK AND RECREATION - Part Time & Seasonal

Park Patrol (6) (PT)	\$	9.37	\$	18.50
Part Time Maintenance & Grounds Laborer (11) (PT)	\$	7.25	\$	11.35
Office Worker (3) (PT)	\$	7.25	\$	13.06
Landscape Mgmt. Interns (4) (Seasonal)	\$	7.25	\$	11.35
Recreation Staff Member (50) (PT)	\$	7.25	\$	15.99
Donner Night Supervisor (8) (PT)	\$	7.25	\$	10.95
Donner Pool Guards (35) (Seasonal)	\$	7.25	\$	14.11
Donner Center Part Time Custodian (PT)	\$	7.25	\$	11.35
Donner Pool Staff Member (50) (Seasonal)	\$	7.25	\$	22.52
Custodian - FFY (PT)	\$	7.25	\$	11.35
Golf PT Maintenance Grounds Laborer (PT)	\$	7.25	\$	11.35
Golf PT Clubhouse/Concessions Attendants	\$	7.25	\$	13.71

PARK AND RECREATION - NON REVERTING

The Commons Maintenance Team Leader.....	\$	14.55	\$	20.78
The Commons Maintenance Asst. Team Leader.	\$	13.60	\$	19.42
The Commons Maintenance Labor (4).....	\$	11.04	\$	15.76
Hamilton Center Operations Manager	\$	13.59	\$	19.42
Hamilton Center Staff Member (PT) (35)	\$	7.25	\$	23.19
Customer Service Specialist.....	\$	7.25	\$	10.35
Athletic Facilities Laborer (FT) (2)	\$	11.04	\$	15.76
Recreation Leaders (25) (Seasonal)	\$	7.25	\$	15.99
Gymnastics Staff Members (20)	\$	7.25	\$	19.72
Sports Staff Members (50) (Seasonal)	\$	7.25	\$	21.81
Concession/Batting Cage Attendants (PT) (12) (Seasonal)	\$	9.60	\$	13.71

PLANNING DEPARTMENT

Office Assistant	\$	10.03	\$	14.33
------------------------	----	-------	----	-------

POLICE DEPARTMENT

Meter Attendant (PT)	\$	10.66	\$	15.86
----------------------------	----	-------	----	-------

TRANSIT

Bus Driver (15)	\$	12.99	\$	18.55
Mechanic (42).....	\$	15.81	\$	22.59
On-Call Driver (25)	\$	12.99	\$	18.55
Part-time Administrative (3)	\$	9.34	\$	13.34

SECTION III - OTHER PAYMENTS

The Following Maximum Expenditures shall be allowed in compliance with provisions of the City Personnel Policy as currently in force.

ANIMAL CARE SERVICES CENTER	
Overtime	\$ 9,762
Faithful Service	\$ 1,200
AVIATION	
Overtime	\$ 5,202
CITY GARAGE DEPARTMENT	
MVH:	
Overtime	\$ 86,183
Faithful Service	\$ 3,600
Sanitation:	
Overtime	\$ 80,013
Faithful Service	\$ 3,700
Shop and Garage:	
Overtime	\$ 13,570
Traffic:	
Overtime	\$ 21,843
Faithful Service	\$ 1,200
CITY HALL/FACILITIES	
Overtime	\$ 4,321
CLERK TREASURER	
Faithful Service	\$ 1,500
ENGINEERING	
Faithful Service	\$ 1,200
FIRE DEPARTMENT	
Scheduled Overtime	\$ 254,798
Unscheduled Overtime	\$ 171,809
Longevity (Per Policy)	\$ 453,615
Additional Service (Per Policy)	\$ 2,400
Holidays (Per Policy)	\$ 234,221
Uniforms (\$900 Per Person)	\$ 85,800
College Credit (Per Policy)	\$ 63,900
Hazmat Certification Pay	\$ 19,000
EMS Certification Pay	\$ 102,000
Military Service Pay	\$ 15,000
HUMAN RIGHTS	
Overtime	\$ 502
PARK AND RECREATION	
Overtime	\$ 31,333
Faithful Service Pay	\$ 6,100
POLICE DEPARTMENT	
Faithful Service (civilian)	\$ 3,600
Faithful Service (sworn)	\$ 2,400
Overtime	\$ 212,808
Longevity (Per Policy)	\$ 226,912
Detective Incentive Pay (Per policy)	\$ 32,121
Uniforms (\$900 Per Officer)	\$ 75,700
College Credit & Military Pay (Per Policy)	\$ 197,378
Shift Differential (5% & 10%)	\$ 152,768
Total Per Diem for School Guards	\$ 130,277
(max \$33.78 Per Guard Per Day)	
Uniforms (\$500 Per Parking Attendant)	\$ 1,000
Specialty Pay - Total:	\$ 79,000
\$1,000 per year: K-9, SWAT, Water Rescue, Bomb Technical	

\$500 per year: FTO, Accident Reconstructionist,
Polygraph Examiner, Negotiator, CSI, ILEA Instructor,
Breath Test Operator, Bike Patrol, Drug Recognition
Expert, D.A.R.E. Instructor, Honor Guard

TRANSIT DEPARTMENT

Overtime	\$ 41,870
Faithful Service.....	\$ 3,900

PASSED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA on this the ____ day
of _____, 2015, by vote of ____ ayes and ____ nays.

Presiding Officer of the Common Council
of Columbus, Indiana

ATTEST:

Clerk of the Common Council of Columbus, Indiana

Presented by me to the Mayor of Columbus, Indiana, this ____ day of _____, 2015,
at ____ o'clock, __.M.

Clerk-Treasurer of the City of
Columbus, Indiana

Approved and signed by me this ____ day of _____, 2015, at ____ o'clock ____M.

Mayor of the City of Columbus, Indiana

Proposed Changes:

Increased all pay by 2% COLA

Increase Animal Care Services Officers from 3 to 4

Remove Operations Technical Operations Resource

Increase Transit Mechanic from 1 to 2

Increase City Hall Facilities Building and Ground Maintenance
by an additional \$1 per hour

Moved MPO Director from MPO Dept to Planning Dept

Parks - added five positions to address golf course staffing
(this was previously approved by Park Board and this
is merely an administrative act to have our salary
ordinance match Parks salary ordinance)

ORDINANCE NO. _____, 2015

**AN ORDINANCE SETTING THE SALARIES
OF ELECTED OFFICIALS FOR THE YEAR 2016**

WHEREAS, the Common Council of the City of Columbus, Indiana, desires to set forth the salaries of certain elected officials for the year 2016.

**NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
THE CITY OF COLUMBUS, INDIANA, THAT:**

SECTION I

The salary of the Mayor of the City of Columbus shall be set at ninety thousand three hundred and thirty-two dollars (\$90,332.00) for the year 2016.

SECTION II

The salary of the Clerk Treasurer of the City of Columbus shall be set at seventy-four thousand nine hundred nine dollars (\$74,909.00) for the year 2016.

SECTION III

The salary of each of the seven (7) Council Members of the Columbus Common Council shall be set at seven thousand five hundred fifty-four dollars (\$7,554.00) for the year 2016.

SECTION IV

This Ordinance shall be in full force and effect from and after its passage. Taxpayers appearing at such meetings shall have a right to be heard thereon.

SECTION V

In addition to the above salaries, the Mayor and the Clerk Treasurer, as full-time city employees, shall also be entitled to the same fringe benefits as other full-time city employees as set forth within the City of Columbus Personnel Policy Manual.

ORDINANCE SETTING THE SALARIES OF ELECTED OFFICIALS FOR THE
YEAR 2016 ADOPTED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS,
INDIANA on this ____ day of _____, 2015, by a vote of _____ ayes and _____
nays.

Kristen S. Brown
Mayor, City of Columbus

ATTESTED:

Luann Welmer
Clerk of the Common Council

Presented by me to the Mayor of Columbus, Indiana, the ____ day of
_____, 2015, at _____ o'clock _____.M.

Kristen S. Brown
Mayor, City of Columbus

Luann Welmer
Clerk Treasurer, City of Columbus